

NINETY-FIRST DAY

(Tuesday, June 17, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called and the following Members were present:

Mr. Speaker	Fuchs
Allen	Gandy
Allison	Garland
Alsup	Gilmer
Avant	Goodman
Bailey	Halsey
Baker	Hanna
Bean	Hardeman
Bell	Hargis
Benton	Harris of Dallas
Blankenship	Harris of Hill
Boone	Hartzog
Brawner	Helpinstill
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Isaacks
Cato	Jones
Celaya	Kelly
Chambers	Kennedy
Clark	Kersey
Cleveland	Kinard
Coker	King
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crosthwait	Leyendecker
Daniel	Little
Davis	Lock
Deen	Love
Dickson of Bexar	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Dwyer	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McLellan
Favors	McMurry
Ferguson	McNamara
Files	Manford
Fitzgerald	Manning

Markle	Senterfitt
Martin	Sharpe
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Moore	Smith of Atascosa
Morgan	Spacek
Morris	Spangler
Morse	Stanford
Murray	Stinson
Pace	Stubbs
Parker	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Winfree

Absent

Henderson	Sallas
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Absent—Excused

Dickson of Nolan	Nicholson
Heflin	Shell
Hutchinson	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, as we are amazed at the progress of the enemy of civilization, do Thou help us as a nation to be prudent and to be prompt in planning against the aggressor. May our people come to Thee in heart and in fact, and wilt Thou forgive our shortcomings and establish us in the right. Lead us here to strengthen the foundations of our own state. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hutchinson for today on motion of Mr. Ferguson.

Mr. Dickson of Nolan for today on motion of Mr. Pevehouse.

Mr. Shell for today on motion of Mr. Hartzog.

Mr. Howard for today on motion of Mr. Morse.

HOUSE BILLS ON FIRST READING

Mr. Kersey asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1090.

There was no objection.

By Mr. Kersey:

H. B. No. 1090, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said county, to aid in projects sponsored by Wise County, Texas, in cooperation with Federal Works Progress Administration or its successors and for general relief and rehabilitation purposes; authorizing the Commissioners' Court of Wise County, Texas, to issue short term bonds, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of the moneys donated; defining certain conditions within said county to constitute a public calamity and declaring an emergency; providing that if any section, sub-section, paragraph, clause, sentence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portion, despite any partial invalidity."

Mr. Reed of Dallas moved to introduce at this time and have placed on first reading House Bill No. 1091.

The motion prevailed by the following vote:

Yeas—116

Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Baker	Celaya
Bean	Chambers
Benton	Clark
Blankenship	Coker
Boone	Colson, Mrs.
Brawner	Connelly
Bray	Craig
Brown	Crossley

Crosthwait	McGlasson
Daniel	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dove	Markle
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Favors	Morgan
Ferguson	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse
Goodman	Phillips
Halsey	Price
Hanna	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Hill	Rhodes
Henderson	Roark
Hileman	Roberts
Howington	Sallas
Hoyo	Senterfitt
Huffman	Sharpe
Hughes	Simpson
Humphrey	Smith of Bastrop
Isaacks	Smith of Atascosa
Jones	Spacek
Kelly	Spangler
Kennedy	Stanford
Kersey	Stinson
King	Stubbs
Klingeman	Taylor
Knight	Thornton
Lansberry	Turner
Lehman	Vale
Lock	Voigt
Love	Walters
Lowry	Wattner
Lucas	Weatherford
Lyle	White
McCann	Whitesides
McDonald	Winfree

Nays—4

Bruhl	McLellan
Leyendecker	Martin
	Absent
Allen	Evans
Bell	Files
Bridgers	Harris of Dallas
Bullock	Hartzog
Bundy	Helpinstill
Burkett	Hobbs
Cleveland	Huddleston
Davis	Kinard
Donald	Little

McAlister
Manning

Rampy
Skiles

Absent—Excused

Dickson of Nolan
Hefin
Howard

Hutchinson
Nicholson
Shell

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Reed of Dallas:

H. B. No. 1091, A bill to be entitled "An Act to amend Article 6377 of the Revised Civil Statutes of Texas 1925, which regulates the equipment in passenger trains; this amendment providing that the provisions of Article 6377 of the Revised Civil Statutes of Texas 1925 shall not be applicable where railroad trains are carrying only personnel and equipment in connection with military or naval movements."

Referred to the Committee on Military affairs.

PROVIDING FOR THE EXTENSION OF CERTAIN LEASE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 47, Providing for the extension of certain lease.

Whereas, The State Board of Control, acting under authority vested in it by the Legislature of the State of Texas, did on January 1, 1932, enter into a lease contract with the City of Austin, leasing to the City of Austin for the term of ten (10) years a tract of land hereinafter described, together with other lands, to be used by the City of Austin for a municipal park and playground; and

Whereas, The said lease by its terms will expire on December 31, 1941; and

Whereas, It was originally intended that a State Fish Hatchery be located on the property hereinafter described, and such property was found unsuitable for that purpose; and

Whereas, The City of Austin, together with the Wild Life Service of the Federal Government, has pro-

vided a fish hatchery on a tract of about thirty (30) acres of land on the north side of the Colorado River within the limits of the City of Austin, making the construction of a fish hatchery by the State of Texas in this vicinity unnecessary; and

Whereas, The City of Austin contemplates the construction on the hereinafter described property of a casting pool to be devoted to a public use for the amusement, training and development of anglers and fishermen, in conjunction with the general development of the Colorado River Lake Region; now, therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That the State Board of Control be and it is hereby authorized, in consideration of the benefits accruing to the State of Texas from the improvement of such property by the City of Austin and the protection of it from waste, to execute to the City of Austin an extension of the lease above mentioned for a period of twenty (20) years from January 1, 1942, insofar as the same covers the 6.46 acres of land out of the Isaac Decker League in Travis County, Texas, as surveyed by the State of Texas and the City of Austin, commonly known as the "State Fish Hatchery Tract" and described by metes and bounds as follows:

Beginning at the most southerly corner of that 6.46 acre tract which was conveyed to the State of Texas by Joseph A. Nagle, in accordance with a deed recorded in Travis County Deed Records, volume 58, page 276;

Thence N. 30° E. 743 feet to an iron stake;

Thence N. 8° W. 350 feet to an iron stake;

Thence S. 64° 5' W. 160.4 feet to the west line of the Isaac Decker League;

Thence with the League line S. 30° W. 893 feet to the most westerly corner of a 19½ acre tract, which is described in a deed recorded in Travis County Deed Records, Volume 51, page 567;

Thence S. 60° E. 311 feet to the place of beginning, said tract containing six and forty six-hundredths (6.46) acres, more or less.

Such extension shall provide that such property may be used by the City of Austin during the term thereof for a municipal park and playground and as a site for the casting pool above mentioned; and as part of the consideration for such extension the same shall provide that the improvements placed thereon shall become the property of the State of Texas at the termination of the period of extension.

The resolution was read second time and was adopted.

RELATING TO FEDERAL COOPERATION IN COTTON RESEARCH

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 79, Relating to Federal Cooperation in Cotton Research.

Whereas, Senate Bill No. 403, establishing a cotton research laboratory in Texas, has passed both branches of the Legislature, and has been signed by the Governor; and

Whereas, Said bill authorizes and invites Federal cooperation in this useful purpose; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That request is hereby made of the U. S. Congress to appropriate a sufficient amount of money from the Federal Treasury to match the appropriation by the State of Texas in the establishment of cotton research facilities in Texas, the largest cotton producing State, and the State where the export surplus is likely to accumulate in the greatest volume, and thereby create additional serious economic dislocations; and

Be it further resolved, That the Secretary of the Senate be instructed to send copies of this resolution to the Members of the Texas delegation in the United States Congress.

The resolution was read second time and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 71, To Grant A. T. Mast and H. R. Mast Permission to Sue the State.

Whereas, A. T. Mast and H. R. Mast are the owners of a certain lot and parcel of land situated in the City of Nacogdoches, Nacogdoches County, Texas; and

Whereas, There has been constructed by the Highway Department of the State of Texas, an overpass over and across said lot or parcel of land and adjacent thereto; and

Whereas, Said A. T. Mast and H. R. Mast claim that the value to said lot has been greatly diminished and decreased because of the construction of said overpass and that they have been damaged by the construction of said overpass by said Highway Department and that they have not been paid damages for the construction of said overpass by the Highway Department of the State of Texas, and that the Highway Department of the State of Texas, and/or the State of Texas, is liable to them for damages of said property by reason of the construction of said overpass; and

Whereas, The said A. T. Mast and H. R. Mast are desirous of determining the liability of the State of Texas and/or the State Highway Department for damages to said property by the construction of said overpass by filing suit or suits in the proper court or courts of the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said A. T. Mast and H. R. Mast be, and they are hereby authorized to file suit against the State of Texas, and the State Highway Department of the State of Texas, in the proper court or courts having jurisdiction thereof in the State of Texas, to determine the damages, if any, they are entitled to recover; and that in the event said suit or suits are filed, service of citation or other necessary process shall be had upon the Chairman of the State Highway Commission and the Attorney General of the State of Texas and that said case or cases shall be tried as all other civil cases, reserving to either party the right of appeal. However, it is to be understood that the purpose of this resolution is to grant permission to said

A. T. Mast and H. R. Mast to bring suit against the State of Texas, and no admission of liability of the State is made by this resolution, and the facts as set out herein must be proved in court.

The resolution was read second time and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 73, To Grant A. T. Mast Permission to Sue the State.

Whereas, A. T. Mast is the owner of a certain lot and parcel of land situated in the City of Nacogdoches, Nacogdoches County, Texas; and

Whereas, There has been constructed by the Highway Department of the State of Texas, an overpass over and across said lot or parcel of land and adjacent thereto; and

Whereas, The said A. T. Mast claims that the value to said lot has been greatly diminished and decreased because of the construction of said overpass and that he has been damaged by the construction of said overpass by said Highway Department, and that he has not been paid damages for the construction of said overpass by the Highway Department of the State of Texas, and that the Highway Department of the State of Texas, and/or the State of Texas, is liable to him for damages of said property by reason of the construction of said overpass; and

Whereas, The said A. T. Mast is desirous of determining the liability of the State of Texas and/or the State Highway Department for damages to said property by the construction of said overpass by filing suit or suits in the proper court or courts of the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said A. T. Mast be and he is hereby authorized to file suit against the State of Texas, and the State Highway Department of the

State of Texas, in the proper court or courts having jurisdiction thereof in the State of Texas, to determine the damages, if any, he is entitled to recover; and that in the event said suit or suits are filed, service of citation or other necessary process shall be had upon the Chairman of the State Highway Commission and the Attorney General of the State of Texas, and that said case or cases shall be tried as all other Civil Cases, reserving to either party the right of appeal. However, it is to be understood that the purpose of this resolution is to grant permission to said A. T. Mast to bring suit against the State of Texas, and no admission of liability of the State is made by this resolution, and the facts as set out herein must be proved in court.

The resolution was read second time and was referred, by the Speaker, to the Committee on State Affairs.

HOUSE BILL NO. 796 WITH SENATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 796, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by amending portions of, repealing portions of and adding new sections to Chapter 467, Acts of the 2nd Called Session of the 44th Legislature, as amended by House Bill No. 8, Acts of the 3rd Called Session of the 44th Legislature, and by House Bill No. 5, Acts of the Regular Session of the 45th Legislature, and by Senate Bill No. 20, Acts of the 1st Called Session of the 45th Legislature, in the following particulars: Amending Sections 4 (a), 13, 15, (b), 15 (c), 29, 30, 32, 33, 35, 37, 38, 39, 41 and 42, all of Article 1 thereof; repealing subsection (d) of Section 3, Article 1; amending subdivision (f) of Section 6, Article 1; amending subdivisions (2), (5), and (8) of, and adding new subdivisions (10) to Section 11, Article 1; clarifying qualifications for permits, etc.; and declaring an emergency."

Mr. Bell moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

MOTION TO INSTRUCT CONFERENCE COMMITTEE

Mr. Blankenship moved that the House conferees on House Bill No. 796 be instructed to leave out of the Conference report the requirement that all liquor be sold for cash.

Mr. Bell moved to table the motion by Mr. Blankenship.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—65

Allison	Lehman
Alsup	Leyendecker
Bell	Little
Bruhl	Lock
Bullock	Love
Bundy	McDonald
Burnaman	McGlasson
Carrington	McMurry
Celaya	McNamara
Clark	Manning
Coker	Martin
Colson, Mrs.	Matthews
Craig	Mills
Dickson of Bexar	Montgomery
Duckett	Morris
Ferguson	Morse
Fitzgerald	Pevehouse
Fuchs	Phillips
Garland	Rampy
Halsey	Rhodes
Harris of Dallas	Roberts
Harris of Hill	Simpson
Hartzog	Skiles
Hileman	Smith of Atascosa
Hobbs	Spacek
Hoyo	Spangler
Huddleston	Taylor
Huffman	Thornton
Isaacks	Voigt
Kersey	Walters
Kinard	Wattner
Klingeman	Winfree
Lansberry	

Nays—56

Allen	Hardeman
Avant	Hargis
Bailey	Helpinstill
Baker	Henderson
Bean	Howington
Benton	Hughes
Blankenship	Humphrey
Boone	Kelly
Brawner	Kennedy
Bray	Knight
Brown	Lowry
Burkett	Lucas
Carlton	Lyle
Cato	McCann
Chambers	McLellan
Connelly	Markle
Crossley	Murray
Crosthwait	Pace
Daniel	Parker
Davis	Price
Deen	Reed of Bowie
Donald	Senterfitt
Ellis	Sharpe
Evans	Smith of Bastrop
Favors	Stinson
Gandy	Stubbs
Goodman	Turner
Hanna	Whitesides

Absent

Bridgers	Manford
Cleveland	Moore
Dove	Morgan
Dwyer	Reed of Dallas
Eubank	Ridgeway
Files	Roark
Gilmer	Sallas
Howard	Stanford
Jones	Vale
King	Weatherford
McAlister	White

Absent—Excused

Dickson of Nolan	Nicholson
Heflin	Shell
Hutchinson	

(Mr. Little in the Chair.)

SUSPENDING JOINT RULES

Mr. Reed of Bowie offered the following resolution:

H. C. R. No. 246, Suspending Joint Rules to permit the consideration of House Bill No. 363.

Be It Resolved by the House, the Senate concurring, That the House

be permitted to consider House Bill No. 363, to amend the Admission Tax Law, on Senate Bill Day, Wednesday and Thursday, June 18 and 19.

The resolution was read second time and was adopted.

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMITTEE

The Chair laid before the House as unfinished business for consideration at this time, House Concurrent Resolution No. 241, by Mr. Bray, to provide for the appointment of certain committee to participate in deliberation of production and marketing of oil.

The resolution having heretofore been read second time.

Mr. Hanna moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—89

Allen	Files
Allison	Fuchs
Alsup	Gandy
Bailey	Garland
Bell	Halsey
Benton	Hanna
Blankenship	Hardeman
Boone	Hargis
Bridgers	Harris of Dallas
Bullock	Harris of Hill
Bundy	Helpinstill
Burkett	Hileman
Burnaman	Hobbs
Carrington	Howington
Cato	Huddleston
Chambers	Hughes
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kelly
Connelly	King
Crossley	Klingeman
Crosthwait	Knight
Daniel	Lehman
Davis	Leyendecker
Donald	Lock
Duckett	Love
Ellis	Lowry
Eubank	Lucas

McCann
McGlasson
McNamara
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morris
Murray
Pace
Parker
Phillips
Price
Rampy
Reed of Bowie

Rhodes
Roberts
Sharpe
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Voigt
Walters
Wattner
White
Whitesides

Nays—29

Avant	Hoyo
Baker	Huffman
Bean	Kennedy
Bray	Lansberry
Brown	McDonald
Carlton	McMurry
Clark	Pevehouse
Craig	Reed of Dallas
Dove	Ridgeway
Favors	Roark
Ferguson	Senterfitt
Fitzgerald	Taylor
Goodman	Thornton
Hartzog	Vale
Henderson	

Absent

Brawner	McAlister
Bruhl	McLellan
Celaya	Manford
Deen	Manning
Dickson of Bexar	Morgan
Dwyer	Morse
Evans	Sallas
Gilmer	Simpson
Humphrey	Turner
Kersey	Weatherford
Kinard	Winfree
Lyle	

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

TO GRANT PERMISSION TO SUE THE STATE

Mr. Stanford offered the following resolution:

H. C. R. No. 247, To grant H. S. Middlemiss permission to sue the State.

Whereas, On or about July 19th, 1937, H. S. Middlemiss, Columbian Building, Washington, D. C., entered into a contract with the State of Texas, acting by and through the duly elected, qualified and acting Attorney General of Texas, for services rendered in connection with the case of the State of Texas vs. The State of Florida, No. 11, Original, in the Supreme Court of the United States, October term, 1937, and

Whereas, The said H. S. Middlemiss, by reason of such contract and agreement with the Attorney General of the State of Texas, did furnish the services agreed upon and did furnish to the Attorney General for the use and benefit of the State of Texas two copies of the transcript of the record of all the hearings held in connection with said case of the State of Texas vs. The State of Florida, and

Whereas, The said H. S. Middlemiss alleges that he has never been paid for the services so rendered the State of Texas and that there is now due him by the State of Texas for the services rendered and for the two copies of the transcript of the evidence in the case of the State of Texas vs. the State of Florida furnished to the State of Texas the sum of \$10,538.80, and it is the purpose of this resolution to grant permission to the said H. S. Middlemiss, his agents, heirs or legal representatives to bring suit against the State of Texas, and no admission of the liability of the State is made by this resolution, but the facts set out above shall be subject to proof in the court; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said H. S. Middlemiss, his agents, heirs or legal representatives, be and they are hereby granted permission to bring suit against the State of Texas in a Court of competent jurisdiction in Travis County, State of Texas to determine what compensation, if any, he is entitled to receive by the terms of the hereinabove mentioned contract with the State of Texas, and that such suit

may be filed at any time within two years after the adoption of this resolution and may be tried and determined under the Constitution and laws of this State in the same manner as if the State were any other resident party defendant. For the purpose of this suit, service of citation or other necessary processes may be had upon the Governor and the Attorney General of the State of Texas.

The resolution was read second time and was referred, by the Chair, to the Committee on State Affairs.

SUSPENDING JOINT RULES

Mr. Donald offered the following resolution:

H. C. R. No. 248, Suspending Joint Rules to permit the consideration of certain bills.

Be it resolved by the House, the Senate concurring, That the House be permitted to consider House Bill No. 656, permitting it to amend Section 10, Article 306, of the Revised Civil Statutes of 1925, and House Bill No. 661 to amend Section 5, Article 8307 of the Revised Civil Statutes of Texas, on Senate Bill day, Wednesday or Thursday, June 18th and 19th, 1941.

The resolution was read second time and was adopted.

HOUSE BILL NO. 1043 WITH SENATE AMENDMENTS

Mr. Kinard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1043, A bill to be entitled "An Act granting to the City of Port Arthur, Texas, all right, title and interest of the State of Texas to certain land within said City, and lying adjacent to the Sabine-Neches Canal, and lying between said Canal and Sabine Lake, and commonly known as the Canal Spoil Bank, and granting the said City of Port Arthur right, power and authority to locate, construct, own, lease, sell and maintain upon such land facilities for airports and other improvements, and

granting the said city the right and authority to lease or sell such land and to issue franchises to others covering privileges accorded to the City of Port Arthur, and reserving all mineral rights to the State; and declaring an emergency."

On motion of Mr. Kinard, the House concurred in the Senate amendments by the following vote:

Yeas—120

Allen	Halsey
Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Harris of Dallas
Baker	Harris of Hill
Benton	Hartzog
Blankenship	Helpinstill
Boone	Henderson
Brawner	Hileman
Bray	Hobbs
Bridgers	Howington
Brown	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Isaacks
Burnaman	Kelly
Carlton	Kennedy
Carrington	Kinard
Cato	Klingeman
Celaya	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Leyendecker
Coker	Lock
Colson, Mrs.	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Crothwait	McAlister
Daniel	McCann
Davis	McDonald
Deen	McGlasson
Dickson of Bexar	McLellan
Donald	McNamara
Dove	Markle
Duckett	Matthews
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Favors	Morris
Ferguson	Morse
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Goodman	Reed of Dallas

Ridgeway	Stinson
Rhodes	Stubbs
Roberts	Taylor
Sallas	Thornton
Senterfitt	Vale
Sharpe	Voigt
Simpson	Walters
Skiles	Wattner
Smith of Bastrop	Weatherford
Spangler	Whitesides
Stanford	Winfree

Absent

Bean	Martin
Bell	Mills
Dwyer	Murray
Gilmer	Rampy
Hoyo	Reed of Bowie
Jones	Roark
Kersey	Smith of Atascosa
King	Spacek
McMurry	Turner
Manford	White
Manning	

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

BILLS ORDERED NOT PRINTED

On motion of Mr. Reed of Dallas, House Bill No. 1091 was ordered not printed.

On motion of Mr. Hardeman, Senate Bill No. 464 was ordered not printed.

HOUSE BILL NO. 1091 ON
SECOND READING

Mr. Reed of Dallas moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1091 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Bean
Allison	Bell
Alsup	Benton
Avant	Blankenship
Bailey	Boone
Baker	Brawner

Bridgers	Kinard
Brown	King
Bruhl	Klingeman
Bullock	Knight
Burkett	Lehman
Carlton	Leyendecker
Carrington	Lock
Cato	Love
Celaya	Lowry
Chambers	Lucas
Clark	McAlister
Cleveland	McCann
Coker	McDonald
Colson, Mrs.	McNamara
Connelly	Matthews
Crossley	Mills
Crothwait	Montgomery
Daniel	Moore
Davis	Morris
Deen	Morse
Duckett	Murray
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Phillips
Ferguson	Price
Files	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Ridgeway
Gandy	Rhodes
Garland	Roark
Goodman	Roberts
Halsey	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Dallas	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Spacek
Hileman	Spangler
Howington	Stanford
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
Humphrey	Vale
Isaacks	Walters
Jones	Wattner
Kelly	Weatherford
Kennedy	White
Kersey	Whitesides

Nays—10

Bray	McGlasson
Dickson of Bexar	McLellan
Donald	Markle
Dove	Martin
Lansberry	Rampy

Absent

Bundy	Craig
Burnaman	Favors

Gilmer	Manning
Hardeman	Morgan
Harris of Hill	Smith of Atascosa
Hobbs	Stinson
Lyle	Voigt
McMurry	Winfree
Manford	

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1091, A bill to be entitled "An Act to amend Article 6377 of the Revised Civil Statutes of Texas, 1925, which regulates the equipment in passenger trains; this amendment providing that the provisions of Article 6377 of the Revised Civil Statutes of Texas, 1925, shall not be applicable where railroad trains are carrying only personnel and equipment in connection with military or naval movements."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1091 ON
THIRD READING

The Chair then laid House Bill No. 1091 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114

Allen	Celaya
Allison	Chambers
Alsup	Clark
Avant	Cleveland
Bailey	Coker
Baker	Colson, Mrs.
Bean	Connelly
Bell	Crossley
Benton	Crothwait
Boone	Daniel
Brawner	Davis
Bridgers	Dove
Brown	Duckett
Bruhl	Ellis
Bullock	Eubank
Burkett	Evans
Carlton	Ferguson
Carrington	Files
Cato	Fitzgerald

Fuchs	McNamara
Gandy	Matthews
Garland	Mills
Gilmer	Montgomery
Goodman	Moore
Halsey	Morse
Hanna	Murray
Hargis	Pace
Harris of Dallas	Pevehouse
Hartzog	Phillips
Helpinstill	Price
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Howington	Ridgeway
Hoyo	Rhodes
Huddleston	Roark
Huffman	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Jones	Sharpe
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Smith of Atascosa
King	Spacek
Klingeman	Spangler
Knight	Stanford
Lehman	Stinson
Leyendecker	Stubbs
Lock	Taylor
Love	Thornton
Lowry	Turner
Lucas	Vale
Lyle	Wattner
McAlister	Weatherford
McCann	White
McDonald	Whitesides
McGlasson	Winfree

Nays—9

Bray	McLellan
Dickson of Bexar	Markle
Donald	Martin
Hobbs	Rampy
Lansberry	

Absent

Blankenship	Isaacks
Bundy	McMurry
Burnaman	Manford
Craig	Manning
Deen	Morgan
Dwyer	Morris
Favors	Parker
Hardeman	Voigt
Harris of Hill	Walters

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Austin, Texas, June 17, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on House Bill No. 272 by a viva voce vote.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 1082.

The following have been appointed on the part of the Senate:

Senators Metcalfe, Winfield, Hazlewood, Moffett and Smith.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 971.

The following have been appointed on the part of the Senate:

Senators Weinert, Kelley, Stone, Winfield and Metcalfe.

The Senate has adopted the Conference Committee report on House Joint Resolution No. 23 by the following vote: Yeas, 29; nays, 0.

Adopted

Conference Committee report on House Bill No. 971 by the following vote: Yeas, 29; nays, 0.

Conference Committee report on House Bill No. 199 by the following vote: Yeas, 26; nays, 1.

Conference report on Senate Bill No. 423 by the following vote: Yeas, 15; nays, 14.

Senate Concurrent Resolution No. 80, Authorizing the Enrolling Clerk of the Senate to correct Senate Bill No. 429.

Has passed, notwithstanding the veto of the Governor, by a vote of: Yeas, 24; nays, 5;—the following bill:

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended

by Acts of 1935, Forty-fourth Legislature, First Called Session, etc., providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway while such person is intoxicated or under the influence of intoxicating liquor, shall be guilty of a misdemeanor, etc.; and declaring an emergency."

Passed

H. B. No. 1064, A bill to be entitled "An Act to amend Section 2 of Chapter 1 of subdivision 111, Water Improvement Districts, Acts of the Forty-sixth Legislature, Regular Session, House Bill No. 594, approved April 18, 1939, and effective the same date, so as to provide for dividing Water Improvement Districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, etc.; and declaring an emergency."

H. B. No. 1086, A bill to be entitled, "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE JOINT RESOLUTION NO. 21 ON SECOND READING

Mr. Huddleston moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, Senate Joint Resolution No. 21.

The motion prevailed.

The Speaker then laid before the House, on its second reading,

S. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas authorizing the Legislature to appropriate Seventy-five Thousand Dollars or so much thereof as may be necessary to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization by the Governor of Texas on August 31st, 1937.

The resolution was read second time and was passed by the following vote:

Yeas—108

Allen	Kersey
Allison	Kinard
Alsup	King
Avant	Knight
Bailey	Leyendecker
Baker	Little
Bean	Love
Bell	Lowry
Benton	Lucas
Blankenship	Lyle
Boone	McCann
Bridgers	McDonald
Brown	McMurry
Bullock	Manford
Bundy	Manning
Burkett	Markle
Carlton	Martin
Carrington	Matthews
Cato	Mills
Chambers	Montgomery
Clark	Moore
Cleveland	Morgan
Coker	Morris
Connelly	Morse
Crossley	Pace
Crosthwait	Parker
Dickson of Bexar	Pevehouse
Dove	Phillips
Duckett	Price
Ellis	Rampy
Eubank	Reed of Bowie
Evans	Reed of Dallas
Ferguson	Ridgeway
Files	Rhodes
Fitzgerald	Roark
Garland	Sallas
Goodman	Senterfitt
Halsey	Sharpe
Hanna	Simpson
Hargis	Skiles
Harris of Hill	Smith of Bastrop
Hartzog	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howington	Taylor
Hoyo	Turner
Huddleston	Vale
Hughes	Wattner
Humphrey	Weatherford
Jones	White
Kelly	Whitesides
Kennedy	Winfree

Nays—10

Bray

Davis

Gilmer	McNamara
Klingeman	Murray
Lansberry	Roberts
McGlasson	Smith of Atascosa

Present—Not Voting

Thornton

Absent

Brawner	Gandy
Bruhl	Hardeman
Burnaman	Harris of Dallas
Celaya	Huffman
Colson, Mrs.	Isaacks
Craig	Lehman
Daniel	Lock
Deen	McAlister
Donald	McLellan
Dwyer	Voigt
Favors	Walters
Fuchs	

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

Mr. Hanna moved to reconsider the vote by which the resolution was passed, and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO PLACE HOUSE JOINT
RESOLUTION NO. 39 ON
SECOND READING**

Mr. McDonald moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. J. R. No. 39, Proposing the adoption of Section 17 of Article 7 of the Constitution, allocating to the Agricultural and Mechanical College of Texas, after deducting the amount necessary to defray expenses of administration except those in connection with grazing leases, one-third of the income from the Permanent University Fund except income from grazing leases; providing that such revenue shall be used or pledged for the sole purpose of acquiring permanent improvements for said College, authorizing the Board of Directors of said College to pledge said revenues to secure bonds or notes issued for such purpose or to refund bonds or notes issued for

such purpose; authorizing the investment of the Permanent University Fund in bonds or notes secured by such pledge; making the provisions of this Section cumulative but to prevail in event of conflict with other provisions; providing for calling an election and making an appropriation to defray expenses thereof.

(Mr. Hughes in the Chair.)

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—72

Allison	Kelly
Alsup	Kersey
Avant	King
Bailey	Knight
Baker	Lehman
Bean	Little
Bridgers	Lock
Bullock	Lowry
Burkett	Lucas
Carlton	McCann
Carrington	McDonald
Cato	McLellan
Chambers	McMurry
Cleveland	McNamara
Colson, Mrs.	Manning
Crossley	Mills
Crosthwait	Montgomery
Daniel	Morgan
Davis	Morse
Dove	Pace
Duckett	Reed of Bowie
Dwyer	Reed of Dallas
Ellis	Rhodes
Ferguson	Roark
Fitzgerald	Sallas
Fuchs	Smith of Bastrop
Gilmer	Spacek
Hanna	Spangler
Hardeman	Stubbs
Harris of Hill	Taylor
Helpinstill	Turner
Henderson	Vale
Hileman	Weatherford
Howington	White
Huddleston	Whitesides
Isaacks	Winfree

Nays—56

Bell	Bray
Benton	Brown
Blankenship	Bruhl
Boone	Bundy

Coker	Leyendecker
Connelly	Love
Craig	Markle
Deen	Martin
Dickson of Bexar	Matthews
Donald	Moore
Eubank	Morris
Favors	Murray
Gandy	Parker
Garland	Pevehouse
Goodman	Phillips
Halsey	Price
Hargis	Rampy
Harris of Dallas	Ridgeway
Hartzog	Roberts
Hobbs	Senterfitt
Hoyo	Simpson
Huffman	Skiles
Humphrey	Smith of Atascosa
Jones	Stanford
Kennedy	Stinson
Kinard	Thornton
Klingeman	Walters
Lansberry	Wattner

Absent

Allen	Lyle
Brawner	McAlister
Burnaman	McGlasson
Celaya	Manford
Clark	Sharpe
Evans	Voigt
Files	

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

**ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 971**

Mr. Lyle submitted the following Conference Committee report on House Bill No. 971:

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House;

Hon. Coke R. Stevenson, President of the Senate.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on House Bill No. 971, have met and beg leave to recommend that said House Bill No. 971 be passed in the form hereto attached.

Respectfully submitted,
**LYLE,
 LANSBERRY,
 WALTERS,
 LEYENDECKER,
 CELAYA,**
 On the part of the House.
**WEINERT,
 METCALFE,
 KELLEY,
 STONE,
 WINFIELD,**
 On the part of the Senate.

H. B. No. 971,

A BILL**To Be Entitled**

An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities or towns cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall not increase the debt burden of any such city or town; providing that this Act shall be cumulative of all other Acts, but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject; and declaring an emergency.

Whereas, Certain cities and towns of this State are faced with the immediate necessity of making improvements in streets which are the connecting link between State Highways which State Highways are being and will be used as Military Highways; and

Whereas, Said cities and towns are unable to make and maintain such street improvements without increasing the debt burden unless they be permitted to fund or refund their current general fund obligations; therefore

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the governing body of any city or town in this State whose street or streets form a connecting link between State Highways, having outstanding as of the effective date of this Act, unpaid and delinquent indebtedness against its General Fund, whether in the form of scrip warrants, warrants or notes, or in either or all of such forms, and which cannot derive revenues for General Fund operating purposes from any publicly owned utilities at this time, is hereby authorized to issue funding or refunding bonds for the purpose of funding any such items which constitute legal indebtedness of such city or town. No election nor notice of intention to issue such funding or refunding bonds shall be required. If funding or refunding bonds are issued they shall be issued in the manner prescribed by Article 717 of the Revised Civil Statutes of Texas, 1925, for the issuance of refunding bonds.

Sec. 2. Such funding or refunding bonds shall mature serially or otherwise, not to exceed thirty (30) years from their date and shall bear a rate of interest not to exceed five (5%) per cent per annum, payable annually or semi-annually.

Sec. 3. When said funding or refunding bonds are issued it shall be the duty of the governing body of such city or town to levy a tax sufficient to pay the principal and interest thereon as such principal and interest mature.

Sec. 4. If funding or refunding bonds are issued they shall be submitted to the Attorney General of the State of Texas for his examination and approval in the same manner and with the same effect as is provided in Article 709 to 715, both inclusive, of the Revised Civil Statutes of 1925, and shall be registered by the Comptroller of Public Accounts as is provided in said Articles.

Sec. 5. All such outstanding indebtedness is hereby validated, provided that the provisions of this section shall not be applicable to any such items of indebtedness which may be in litigation at the time this Act becomes effective.

Sec. 6. This Act shall not be interpreted so as to authorize an in-

crease in the debt burden of any such city or town.

Sec. 7. This Act shall be cumulative of all other laws on the subject, but in the event any of its provisions are in conflict with any existing laws the provisions hereof shall prevail and be effective to the extent of such conflict.

Sec. 8. If funding or refunding bonds are issued such city or town shall furnish to the Attorney General, at the time of submission of the bond transcript, a certificate of the necessity of such street improvement by the State Highway Department.

Sec. 9. The fact that there is now no adequate law permitting the funding or refunding of such outstanding obligations and the great need of such legislation by affected cities and towns, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in both Houses of the Legislature be suspended, and said Rule is hereby suspended and that this Act shall be effective immediately from and after its passage, and it is so enacted.

On motion of Mr. Lyle, the report was adopted by the following vote:

Yeas—129

Allen	Connelly
Allison	Craig
Alsup	Crossley
Avant	Crosthwait
Bailey	Daniel
Baker	Davis
Benton	Deen
Blankenship	Dickson of Bexar
Boone	Donald
Brawner	Dove
Bray	Duckett
Bridgers	Dwyer
Brown	Ellis
Bruhl	Eubank
Bullock	Favors
Bundy	Ferguson
Burkett	Files
Carlton	Fitzgerald
Carrington	Fuchs
Cato	Gandy
Chambers	Garland
Clark	Goodman
Cleveland	Halsey
Coker	Hanna
Colson, Mrs.	Hardeman

Hargis	Mills
Harris of Dallas	Montgomery
Harris of Hill	Moore
Hartzog	Morgan
Helpinstill	Morris
Henderson	Morse
Hileman	Murray
Hobbs	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Huffman	Price
Humphrey	Rampy
Isaacks	Reed of Bowie
Jones	Ridgeway
Kelly	Rhodes
Kennedy	Roark
Kersey	Roberts
Kinard	Sallas
Klingeman	Senterfitt
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stanford
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
Lyle	Thornton
McAlister	Turner
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McLellan	Wattner
McNamara	Weatherford
Manning	White
Markle	Whitesides
Martin	Winfree
Matthews	

Absent

Bean	King
Bell	McMurry
Burnaman	Manford
Celaya	Reed of Dallas
Evans	Sharpe
Gilmer	Simpson

Absent—Excused

Dickson of Nolan	Hutchinson
Heflin	Nicholson
Howard	Shell

**RECALLING SENATE BILL NO. 429
FROM THE GOVERNOR**

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 80, Recalling Senate Bill No. 429 from the Governor.

Whereas, Senate Bill No. 429 has passed both Houses of the Legislature and is now on the Governor's desk for his approval; and

Whereas, It is necessary that the following language be stricken from said bill: 'amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new Section to be known as Article 6899d'; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That said bill be called from the Governor's office, and that the Enrolling Clerk of the Senate be instructed to make such correction.

The resolution was read second time and was adopted.

HOUSE BILL NO. 898 WITH SENATE AMENDMENTS

Mr. Ferguson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 898, A bill to be entitled "An Act amending Article 122 of the Penal Code of the Revised Statutes of 1925, and declaring an emergency."

On motion of Mr. Ferguson, the House concurred in the Senate amendments by the following vote:

Yeas—121

Alsup	Craig
Avant	Crossley
Bailey	Crothwait
Baker	Daniel
Bean	Davis
Bell	Dickson of Bexar
Benton	Donald
Blankenship	Duckett
Boone	Dwyer
Brawner	Ellis
Bridgers	Eubank
Brown	Favors
Bruhl	Ferguson
Bullock	Files
Bundy	Fitzgerald
Burkett	Gandy
Burnaman	Garland
Carlton	Gilmer
Carrington	Goodman
Cato	Hanna
Clark	Hargis
Cleveland	Harris of Dallas
Coker	Hartzog
Colson, Mrs.	Helpinstill
Connelly	Hileman

Hobbs	Morse
Howington	Murray
Hoyo	Pace
Huddleston	Parker
Huffman	Pevehouse
Humphrey	Phillips
Isaacks	Price
Jones	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Kinard	Ridgeway
Klingeman	Rhodes
Knight	Roark
Lansberry	Roberts
Lehman	Sallas
Leyendecker	Sharpe
Little	Simpson
Lock	Skiles
Love	Smith of Bastrop
Lowry	Smith of Atascosa
Lucas	Spacek
Lyle	Spangler
McAlister	Stinson
McDonald	Stubbs
McGlasson	Taylor
McMurry	Thornton
McNamara	Turner
Manford	Vale
Manning	Voigt
Markle	Walters
Martin	Wattner
Mills	Weatherford
Montgomery	White
Moore	Whitesides
Morgan	Winfree
Morris	

Nays—5

Bray	Senterfitt
Halsey	Stanford
Harris of Hill	

Absent

Allen	Fuchs
Allison	Hardeman
Celaya	Henderson
Chambers	Kelly
Deen	King
Dove	McLellan
Evans	Matthews

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Howard	Shell
Hutchinson	

HOUSE BILL NO. 974 WITH SEN-
ATE AMENDMENTS

Mr. Brawner called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 974, A bill to be entitled "An Act to amend Section 18, Chapter 41, Acts of the 40th Legislature, First Called Session, as amended by Section 2 of House Bill No. 614, Acts of the Regular Session of the 46th Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, may submit such record to the Probate Court in the county where such person resides rather than where the birth occurred, as now required; and declaring an emergency."

On motion of Mr. Brawner, the House concurred in the Senate amendments by the following vote:

Yeas—128

Allen	Files
Allison	Fitzgerald
Alsup	Fuchs
Avant	Gandy
Bailey	Garland
Baker	Goodman
Bell	Halsey
Benton	Hanna
Blankenship	Hardeman
Boone	Hargis
Brawner	Harris of Dallas
Bray	Harris of Hill
Bridgers	Hartzog
Brown	Helpinstill
Bruhl	Henderson
Bullock	Hileman
Bundy	Howington
Burkett	Hoyo
Burnaman	Huddleston
Carlton	Huffman
Carrington	Humphrey
Cato	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kinard
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Dickson of Bexar	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McDonald
Eubank	McGlasson
Evans	McLellan
Favors	McMurry
Ferguson	McNamara

Manford	Roberts
Manning	Sallas
Markle	Senterfitt
Martin	Sharpe
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Moore	Smith of Atascosa
Morgan	Spacek
Morris	Spangler
Morse	Stanford
Murray	Stinson
Pace	Stubbs
Parker	Taylor
Pevehouse	Thornton
Price	Turner
Rampy	Vale
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	White
Rhodes	Whitesides
Roark	Winfree

Absent

Bean	Kersey
Celaya	King
Chambers	Lock
Deen	Phillips
Gilmer	Voigt
Hobbs	Weatherford

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Howard	Shell
Hutchinson	

(Speaker in the Chair.)

HOUSE JOINT RESOLUTION NO. 7
ON FINAL PASSAGE

The Speaker laid before the House, as unfinished business, on its final passage,

H. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas to provide free textbooks for children of scholastic age attending any private, church, parochial school or academy, or any orphan asylum of Texas, at the election of such schools to use such textbooks.

The resolution having heretofore been read third time with amendment by Mr. Spacek pending.

Question: Shall the amendment by Mr. Spacek be adopted?

HOUSE BILL NO. 1067 ON SECOND
READING

Mr. Celaya moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 1067.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1067, A bill to be entitled "An Act amending Section 1 of House Bill No. 186, Regular Session of the 47th Legislature, fixing an open season for Mourning Doves and White-wing Doves; and declaring an emergency."

The bill was read second time.

Mr. Manning offered the following amendment to the bill:

Amend House Bill No. 1067 as follows:

"This Act shall not apply to Shelby and Panola Counties."

MANNING,
ALSUP.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1067 was then passed to engrossment.

HOUSE BILL NO. 1067 ON THIRD
READING

Mr. Celaya moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1067 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Allen	Benton
Allison	Boone
Alsup	Bridgers
Bailey	Brown
Baker	Bruhl
Bell	Bullock

Bundy	Leyendecker
Burkett	Lock
Burnaman	Lowry
Carlton	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McDonald
Chambers	McGlasson
Clark	McLellan
Cleveland	McMurry
Coker	McNamara
Colson, Mrs.	Manford
Connelly	Manning
Crosthwait	Markle
Daniel	Martin
Davis	Mills
Dickson of Bexar	Montgomery
Donald	Moore
Dove	Morgan
Duckett	Morris
Dwyer	Morse
Ellis	Pace
Files	Pevehouse
Fuchs	Phillips
Gilmer	Price
Goodman	Rampy
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hardeman	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roark
Harris of Hill	Roberts
Hartzog	Senterfitt
Helpinstill	Sharpe
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Spacek
Howington	Spangler
Hoyo	Stanford
Huddleston	Stinson
Huffman	Taylor
Hughes	Turner
Kennedy	Vale
Kersey	Wattner
Kinard	Weatherford
Knight	White
Lansberry	Whitesides
Lehman	Winfree

Nays—17

Avant	King
Blankenship	Klingeman
Brawner	Love
Bray	Matthews
Craig	Murray
Eubank	Parker
Favors	Simpson
Ferguson	Stubbs
Jones	

Absent

Bean	Crossley
------	----------

Deen	Kelly
Evans	Little
Fitzgerald	Sallas
Gandy	Smith of Atascosa
Garland	Thornton
Humphrey	Voigt
Isaacks	Walters

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Howard	Shell
Hutchinson	

The Speaker then laid House Bill No. 1067 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101

Allen	Henderson
Allison	Hobbs
Alsup	Howington
Bailey	Hoyo
Baker	Huddleston
Bell	Huffman
Benton	Hughes
Blankenship	Isaacks
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Kinard
Bundy	Knight
Burkett	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Little
Celaya	Lock
Chambers	Lowry
Cleveland	Lucas
Coker	Lyle
Colson, Mrs.	McAlister
Connelly	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Dickson of Bexar	McNamara
Donald	Manford
Dove	Manning
Duckett	Martin
Ellis	Mills
Fuchs	Montgomery
Gandy	Moore
Gilmer	Morgan
Halsey	Morris
Hanna	Morse
Hardeman	Pace
Hargis	Pevehouse
Harris of Dallas	Phillips
Harris of Hill	Rampy
Hartzog	Ridgeway
Helpinstill	Rhodes

Roark	Stinson
Roberts	Taylor
Senterfitt	Thornton
Sharpe	Turner
Skiles	Wattner
Smith of Bastrop	Weatherford
Spacek	White
Spangler	Winfree
Stanford	

Nays—16

Avant	Hileman
Boone	Jones
Bray	King
Craig	Love
Eubank	Matthews
Favors	Murray
Ferguson	Simpson
Goodman	Stubbs

Present—Not Voting

Markle

Absent

Bean	Klingeman
Brawner	Parker
Burnaman	Price
Clark	Reed of Bowie
Crossley	Reed of Dallas
Deen	Sallas
Dwyer	Smith of Atascosa
Evans	Vale
Files	Voigt
Fitzgerald	Walters
Garland	Whitesides
Humphrey	

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Howard	Shell
Hutchinson	

Mr. Celaya moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

BILLS AND RESOLUTION
SIGNED BY THE
SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 78, Authorizing certain correction in Senate Bill No. 125.

H. B. No. 161, "An Act to amend subdivision 90 of Article 199 of the

Revised Statutes of the State of Texas, 1925, so as to change the time and terms of holding the terms of the District Court of Stephens County, providing that Stephens and Young Counties shall constitute the 90th Judicial District, fixing the terms and time for holding court in Stephens and Young Counties, prescribing the powers and duties of the 90th District Court, and providing for the transfer of cases from the 30th Judicial District Court to the 90th Judicial District of Young County, and from the 90th District Court in Young County to the 30th District Court in Young County, providing for District Clerks in Stephens and Young Counties, and their successors in office to be clerks of said 30th District Court and 90th District Court in their respective counties, validating all processes, bonds and writs issued and served before the taking effect of this Act, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district fixed herein, to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under the Act, providing that if any section of this Act be held unconstitutional or invalid for any reason the same shall not impair or effect the remaining sections or provisions, and declaring an emergency."

H. B. No. 933, "An Act to prohibit the use in Fort Phantom Hill Lake of Jones and Taylor Counties of certain devices for catching fish; to limit the size and number of fish to be caught; to prohibit the taking of any fresh water fish during the months of February, March or April; to prohibit the taking of any catfish during the months of March, April, May and June; to regulate the taking of minnows; providing a penalty; and declaring an emergency."

H. B. No. 51, "An Act to amend Article 4766, Revised Civil Statutes of 1925 as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Statutes of 1925 shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust or

other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40%) per cent more than the amount loaned thereon, and also to include first liens upon leasehold estate in real property and improvements thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency."

H. B. No. 624, "An Act amending Chapter 2 (H. B. No. 614) of the Act of June 2, 1939, page 346, General Laws of the 46th Legislature, to provide for uniform fees to be charged for the issuance of delayed birth and death certificates by the Probate Court, the clerk thereof and the State Registrar; and declaring an emergency."

H. B. No. 936, "An Act providing that it shall be lawful in Cass County, Texas, for any person to kill, take, or have in his possession for barter or sale any wild fox or the pelts thereof from December 1 to December 31, inclusive, of any year; repealing all laws in conflict; and declaring an emergency."

S. B. No. 125, "An Act to amend Title 69 of the Revised Civil Statutes of Texas, 1925, by amending Articles 4113, 4114, 4116 and 4117 of Chapter 2 of said Title 69, relating to the commencement of proceedings for the appointment of guardians of the persons and estates of minors, persons of unsound mind, etc., and declaring an emergency."

REPORT OF COMMITTEE IN REGARD TO STATE ELEEMOSYNARY INSTITUTIONS

On motion of Mr. Alsup, the following report was ordered printed in the Journal:

Abilene State Hospital

March 27, 1941

Subcommittee, composed of Representatives Eugene McGlasson, Washington Whitesides and Jack F. Ridgeway, chairman of subcommittee.

Your committee arrived at Abilene State Hospital, Thursday night, March 27, 1941, at 7:30 p. m., and was met by Dr. Bass, the superintendent of said institution. Dr. Bass was apparently expecting the committee and your committee feels that Dr. McMahan of Big Spring State Hospital had called stating that we were in that vicinity, as Dr. Bass asked if committee had come from Big Spring. The storekeeper and accountant, Mr. Maxwell, was waiting in his office, although the hour was late. This institution is for the care of epileptics entirely, and there are approximately 1,400 patients in said institution.

This institution has twenty-one kitchens as there is a kitchen and dining room for each of the wards. Your committee asked about the advisability of having a general kitchen and dining room, but were told that due to the condition of the patients, it was not practical.

The buildings of said institution are of good solid construction and while same are sturdy, they are not elaborate. There is approximately 600 acres of land in connection with this institution, and both hogs and cattle are raised on the farm, although not enough milk is produced for the consumption of the hospital. This institution also has a chicken farm and recently purchased a thousand baby chicks from the Wichita Falls State Hospital. These chicks were charged at the rate of twelve and one-half cents each, although the superintendent stated he could have bought chicks equally as good at Abilene for five or seven and one-half cents each. The superintendent seemed to be upset and peeved regarding this incident, as he had not discussed price with the Wichita Falls Hospital at the time he purchased the chicks. Your committee feels that if chickens are purchased from Wichita Falls Hospital that the other institutions should not be penalized by having to pay more than the market price for same.

Your committee learned that there is very little law covering epileptics and the patients of this hospital are there on a voluntary basis, and that there is no law that will protect the institution or the State in the event the heirs of any of the patients' would see fit to sue either the per-

sonnel of this hospital or the State. At the present time, in order to be admitted to said Hospital, a patient must fill out before his county judge and local physician an application, a copy of which is attached hereto. The county judge must certify that the patient is an epileptic. The committee feels that this application does not go into detail regarding the property owned by these patients, and feels that more money could be derived from them if a more thorough investigation were to be made before the patient was admitted. At the present time, there is only approximately twenty-one or twenty-two patients out of the 1,400 in said hospital that are paying the sum of \$5.00 per week for their board and treatment. In connection with this, the superintendent stated that the pay patient collector had not been to this institution in over a year and recited the case of a patient named Joe Frilling of Albany, Texas, who died in October, 1940. This patient had no heirs whatever, but had \$480.00 in a savings account in the bank at Albany. Dr. Bass notified the pay patient collector of this money to which the State is rightfully entitled, but to the time of this inspection, which was six months later, no action had been taken to collect this money, although it would be a very simple procedure, inasmuch as Dr. Bass has the deposit book of the patient. Again your committee recommends that some action be taken to correct the apparent laxness in the office of the pay patient collector, and try in some way to work to the end that more money is collected from the patients of the various eleemosynary institutions. Attached hereto is a schedule of the monies collected by the pay patient collector from 1933 to 1940.

This institution has on hand as its local retained fund the sum of \$1,000.00, and has in its local fund with the State Treasurer the sum of \$6,200.00. This institution uses its local funds primarily for maintenance and repairs, but also pays out of its local funds the salaries of the Board of Control charged to the institution. Attached hereto is a statement showing the amount of monies paid during the year ending August 31, 1940, by said institution out of its local

funds. Again your committee recommends that all of the local funds of the eleemosynary institutions, except perhaps the sum of several hundred dollars, be turned into the general fund of the State Treasury.

The patients at this institution have one menu, and the doctors and employees have another, except that the attendants on the wards eat with the patients. All of the food seemed to be wholesome and several copies of the menus served in said institution are attached hereto.

At the present time, said institution is paying several teachers approximately \$1,500.00 per year for the purpose of teaching 199 students of scholastic age that are patients of said institution, and the \$22.50 apportionment for each student is being collected by the home districts of said students. This committee has learned that in the next several days there will be a meeting of the Board of Education, and if a request was made to institute an independent school district at this institution, same would be done and said institution would gain approximately \$4,500.00 out of the school fund for the purpose of teaching these handicapped children. Your committee recommends that this be done as it would lower the appropriations for this institution.

This institution was built in 1901, and the superintendent, Dr. Bass, came to said institution at that time and is well advanced in years. Your committee noticed that the majority of doctors on the staff of said institution were elderly men and all of the operations performed are done by an outside, specially paid surgeon. Your committee feels that it might be well for said institution to be employing some younger men to be training themselves so that they may carry on when some of these older doctors retire.

The grounds were clean and well kept, and the superintendent has a very nice home and very nice furnishings in same.

In the next several days, this committee will receive a complete set of reports sent in to the Board of Control by this institution, and further information can be gained from said reports if desired.

In conclusion, regarding this and

other institutions inspected by this committee, we respectfully urge that some definite action be taken so that all of the local funds of these institutions be placed in the general fund of the State Treasury, and that some steps be taken to further the collection of monies from the patients of said institutions, which would mean a great saving to the State. Also, your committee suggests that there might be a closer supervision by the Board of Control over the management of the various institutions and, if necessary, legislation should be passed providing that the Board of Control might remove for cause the superintendent of the various institutions. This committee feels that this step would improve the general conditions of the various institutions.

Big Spring State Hospital

March 27, 1941

Subcommittee, composed of Representatives Eugene McGlasson, Washington Whitesides and Jack F. Ridgeway, Chairman of subcommittee.

Your subcommittee arrived at the above named institution Thursday morning, March 27, 1941, at 10:30 a. m., and went immediately to the storeroom of said institution. This storeroom is located approximately a quarter of a mile directly in the rear of the administration building. The committee met Mr. Miller, the storekeeper, and Mr. W. S. Tumbleson, the assistant storekeeper. Also, your committee met Mr. Bill Simpson, who is the butcher for said institution and whose office is in said storeroom. From the actions of some of the employees, your committee immediately saw that said employees were very uneasy by reason of the committee's presence, and it was extremely difficult to get any of the said employees to answer questions, and they immediately wanted to call Dr. McMahan, who is the superintendent of said institution. After instructing said employees not to call the superintendent, your committee proceeded to question several of the employees individually and apart from the others, and gathered that something seemed to be wrong within the institution as far as the management of same was concerned.

While this hospital is only two years old and has approximately 125 employees, your committee learned that there had been 250 changes in personnel during this two-year period. This seems to be extremely high in comparison with the number of employees employed. Apparently there is not a great deal of cooperation as between the management and the personnel of said institution, and your committee will report further along this line, verbally, to the whole committee.

Your committee learned that there is approximately \$13,290.00 on hand in the local retained fund in two banks at Big Spring for this institution, and only \$500.00 on hand in the State Treasurer's fund in Austin. Your committee feels that this proportion of money is entirely out of reason and should be reversed as to the depositories. Your committee further learned that it was the intention of the superintendent to immediately ask for the purchase of a new tractor out of the local retained fund, although there are now two tractors at this institution and only approximately 500 acres of farm land to cultivate. In this connection, your committee saw that a great deal of the farm equipment was setting behind an outbuilding and that most of it was half covered with sand, apparently no effort being made to preserve said equipment. Your committee further learned that it was the intention of the management of said institution to ask permission to expend \$10,000.00 out of the local fund for the purpose of paving approximately a half mile of road from the main buildings to the storeroom and to put curbs on said road. This figure seems all out of line and your committee recommends that this be not allowed.

Your committee next went to the administration building and met Dr. McMahan, who knew of the presence of said committee at the storeroom and seemed rather indignant regarding the committee's visit there. Dr. McMahan showed the committee through the buildings and through the dining rooms while the patients were eating. Your committee noticed that there was no meat of any description served the male patients, although some of them were required

to work on the grounds and in the fields of said institution. The diet served said male patients was not well balanced and consisted of too many starches to be wholesome. The female patients were served fried baloney sausage, but their diet also seemed very poor. The employees' menu was different from that of the patients', and the employees were served meat and a more balanced diet.

Your committee noticed many new trees planted in front of the buildings of this institution and were told that these trees were elm trees, but said trees were planted extremely close together, being only approximately ten feet apart and there seemed to be entirely too many of them for the amount of grounds. This committee understands that the superintendent paid as high as \$4.50 per tree, although he stated he paid \$1.75 for same, but this committee learned that said trees could have been bought for thirty-five cents each. Your committee recommends that this be looked into through the Board of Control to ascertain the true facts.

There were no cattle at this institution, although they have 125 head of hogs. All that is being raised on the farm of this institution is feed stuffs and there is over a hundred tons of ensilage there at the time, and it would seem that a savings could be made if a dairy could be had at this institution, as said institution is paying approximately \$1,000.00 per month for milk at the rate of thirty-five cents per gallon.

The buildings at this institution are elaborate, in fact your committee feels that at least one extra ward could have been built had not these buildings been built in so extravagant a manner, and this committee recommends that on any future buildings that might be constructed attention be given to the sturdiness of same rather than the beauty.

This committee feels that due to the short length of time available for inspecting said institution and due to the unrest and various conditions found there, that the committee as a whole should sit as an investigating body to thoroughly inspect this institution, and that various witnesses be subpoenaed to testify and

we feel that many interesting facts would be disclosed.

RIDGEWAY,
McGLASSON,
WHITESIDES.

Corsicana State Home

March 4, 1941

The subcommittee of the Eleemosynary Institute Group visited the Corsicana State Home. The group was composed of Fitzgerald, Chairman, Whitesides, Evans and Hobbs. The committee left Austin last Thursday afternoon approximately at 1:30 and arrived in Corsicana at 5:30. It was raining hard and the dinner bell was ringing so the members of the committee went with the children directly into the dining hall. The dining hall is a spacious two story building; the upper floor is devoted to employees' living quarters and the lower floor is divided into two dining halls; two employees dining halls, the kitchen, bakery, meat market and milk pasteurization plant. We, the committee, ate supper with the employees and our supper consisted of chicken-fried steak, gravy, wilted lettuce, beans, milk, coffee, butter, bread and doughnuts; a very substantial meal. The students' supper consisted of Post Toasties, a pint of milk, pie and preserves and bread. A part of the students were in training for spring football and had steak, etc. Before our meal was completed, the superintendent, Mr. J. S. Halley, came in to see us and give us our official welcome. His nervousness was very noticeable, but he did everything in his power to make us feel at home for our stay in Corsicana. Miss Margaret Blalock, the chief dietitian, after our meal was completed, escorted us through the kitchen.

Miss Blalock seems to be a very capable and efficient person and did not at all like Mr. Halley and none of the old employees seem to like Miss Blalock. It seems that when Miss Blalock was employed that she changed the routine of the kitchen and the students and it was not acceptable at all to the Superintendent nor old employees, but in the opinion of your committee, she is a very capable and efficient lady. The condition of her kitchen is not

spotless. It seems that there has been quite a great deal of difficulty in securing proper help at \$35.00 per month to carry on the kitchen work. None of the six employees in the kitchen with the exception of the head cook, receive over \$35.00 per month.

In the kitchen there is equipment that is not used. They have a double unit of steam baker that has not been in use for several years, due to the fact that it will care for only about 100, whereas, over 800 are cared for each meal. A washing machine is also not in use and it looks like it has not been in use for several years. One washing machine was kept busy the whole time we inspected the kitchen and two tubs were also in use by the students. The meat vault had a strong meaty smell to it. Everything was clean except the appearance. Too much cooked food was stored in the vault. Also, in the kitchen, there is an open type steam table that has not been in use for several years.

The next morning, on closer conversation with Miss Blalock, two members of the committee questioned her at length with regard to policies, efficiency, etc. She claimed that to secure the discharge of several incompetent employees that she had to go to the Board of Control for their dismissal and Mr. Halley was very slow in replacing the help. At one time he brought a woman to help as assistant cook who was a prostitute and Miss Blalock had to fire her. Another time Miss Blalock had to go into negro town and interview negroes when Mr. Halley said no negro help was available. She said she secured 25 applications; had them all to come to the home and had Mr. Halley pick four of the number for her help. Mrs. Watt, an assistant cook, was employed by Mr. Halley through an employment agency in Corsicana. She has to discount her \$35.00 check 2% in order to cash it. Mr. Stayne, head cook, made the statement that he could secure all the efficient help needed if they would pay from \$40.00 to \$45.00 per month. Before Miss Blalock came into the kitchen, there was not a single physical examination made of employees. She now demands the complete physical, including a Wasserman, by each em-

ployee. Incidentally, none of the employees get any doctor's care or hospitalization. There seems to be a loan shark racket run by Mr. Halley and on several occasions he has tried to keep from firing incompetent employees because they were indebted to him. Miss Blalock also reports that there is undue amount of graft, etc., on the part of Mr. Halley and she has submitted a full (report) through Mr. Knox and Mr. Davis. Miss Blalock also says that there is improper supervision of the students; that the girls are allowed to slip out at night and upon her own word she said that one of the chief meeting places was in the Home Economics Cottage, a popular meeting place for the boys and girls. She said that once or twice a week the Home Economics teacher tells her that upon entering her building in the morning, she can detect where an entrance was made in the night and where boys and girls used her department for immoral conduct. Miss Blalock's opinion is that the majority of the matrons (who look like they are over sixty-five years of age) no longer care what takes place. Upon direct question of immoral conduct, Mr. Halley stated to the Chairman that the conduct of the students was above reproach; that they were much more religious-minded than the average group of boys and girls. He also stated that in his fourteen years, he had brought to his attention only two cases of immoral conduct and the suspension of only one female for pregnancy.

A number of specific incidents were given by Miss Blalock of graft. One was the circus fund; another, senior rings. Mr. L. E. Kelton, jeweler of Corsicana, was given as a reference and Lee Wheeler, Corsicana negro; another reference and Mrs. Wallace and Frank of the 5th Avenue Produce has reference. Your committee is not and was not empowered with investigation powers, so we passed up these clues.

September 1

Building and grounds..	\$ 886,865.02
Groceries	8,352.47
Dry goods and notions..	15,184.50
Hardware and miscellaneous	9,742.90
Livestock and poultry --	17,286.75

Equipment and furnishings _____	184,556.13
TOTAL _____	\$1,122,883.88

There are 292 big children, 326 small children, 92 employees and officials, 27 teachers and employees and 18 outside help. There are a total of 315 boys, 355 girls. Last year they admitted 59 and discharged 94. (Fifty-one of them through graduation). The cost per capita per pupil is \$24.69, or a total of \$299.26 per year. There are five buildings for boys; four buildings for girls; one building for employees and four other buildings of importance on the campus. There are 417.518 acres on the campus, with 220 acres in cultivation. There are 34 buildings. They use city water, Texas Power and Light Company furnishes utilities and Lone Star Gas furnishes gas for essential heating. The groceries on hand and dry goods on hand will be discussed openly.

The Superintendent's home is a ten-room, beautiful home, elaborately furnished with box springs, expensive blankets, inner-spring mattresses, tile baths for every separate room, etc.

Galveston State Psychopathic Hospital

March 6, 1941

We, the subcommittee as above set out composed of Representative Jack Ridgeway of San Antonio and Representative Choice Moore of Bonham, after having investigated the Alabama Coushatta Indian Reservation at Livingston, Texas, on March 5, arrived in Galveston on the morning of March 6, 1941, for the purpose of looking over the above named hospital and performing any investigation that we might see fit to perform and thereby make recommendations back to our Eleemosynary Committee in regard thereto, and very shortly after arriving proceeded to the Galveston State Psychopathic Hospital for the above mentioned purposes.

Upon entering the hospital we were confronted with a secretary who very politely asked us our business and after our business had been stated to her by Mr. Ridgeway, we

were shown into the Superintendent's office where very shortly Dr. Brown, Superintendent of this hospital, greeted us.

We carried on a conversation with Dr. Brown in regard to the condition of the Hospital and his views for the institution in regard to the future procedure, and we propounded question after question to him in order to bring to light every phase of the psychopathic work now being carried on and any other matter that might involve this hospital. Dr. Brown was very frank in his answers to us and was polite enough, but not overly polite. He told us everything, we think, that we wanted to know. After about an hours conversation, we were shown through the Hospital from beginning to end, and we do not believe we missed a single corner anywhere throughout.

We find that the Hospital building within itself is in excellent shape, being a comparatively new building. We find that as far as we know nothing more is needed toward additional equipment in this main building. We find that the Hospital within itself is as clean from top to bottom as any place of its kind we have ever seen and certainly is in better shape than the majority of the places that we have seen.

We ate our noonday meal with Dr. Brown and were served the same food that the inmates of this institution were being served. We know that this is so because we saw them eating the same food, and that is one of the first things we tried to do.

We talked to a few of the inmates in this institution and we do not find that there is any dissatisfaction, and everything is being carried on in fine shape.

We found the personnel to be courteous and polite, and that is especially our off hand judgment without any further investigation. We believe that they are considerate enough of the confined persons.

The grounds are well kept, having been beautified by the planting of flowers and roses, etc.

The store house seemed to be in excellent shape even though we found it low on stock, and this as explained by Dr. Brown was because it would be only a short time before another six months stock would be purchased, and having checked

the budget with Dr. Brown and finding that his request for one-hundred thousand dollars for an employees dormitory, twelve thousand dollars for a single physicians residence, ten thousand dollars for a storekeeper's residence, three hundred fifty dollars for additional furnishings, ten thousand dollars for an auxiliary steam and electrical plant, twenty-five thousand dollars for the purchase of additional land and all being eliminated, we do not have any recommendations especially to make with the exception of probably one.

We were shown through two old ramshackled buildings on one corner of this property, and we find that these buildings are in a bad state and are in desperate need of repair. Now these buildings are used for the purpose of housing the employees, and we do not wish to comment on whether or not the employees should live on the grounds, but in case they are required to and it is decided that it is better for them to live there, we feel that these buildings should have at least a good paint job both within and without, and possibly new paper on the walls as we are sure that anyone will agree that it will be a saving in the long run. The wall paper was hanging loose in long strips from the ceiling throughout these buildings, and certainly this should be done. We believe that it could be done without the expenditure of any additional money.

There is one other matter that this committee is in agreement on, and that is the use of local funds by not only this institution but all institutions of its kind. We believe that some stringent regulations should be drawn, said regulations to be recommended by our Eleemosynary Committee as a whole in regard to the regulation of these local funds. For instance, this Hospital, the Galveston State Psychopathic Hospital, has approximately twenty-five thousand dollars in local funds at this time. We believe that these funds should go a long way toward the operating expenses of these institutions and should not be handled in such a manner and with such an idea that it is better to use them in order to keep anyone else from benefiting therewith.

Gatesville Reformatory

April 7, 1941

On the morning of April 7, Mr. Omar Burkett and myself left for Waco, and from there to Gatesville, arriving there about 11:30 o'clock. We found Mr. Nesbit, the Superintendent. Had a conference with him, with reference to the school and then made an inspection of the storeroom, ward buildings, both white and negro, and looked over the stock quarters and the stock. We found the storeroom in excellent condition; we found all the buildings in excellent condition; we found the grounds in excellent condition, and we found the different shops, bakery and powerhouse in excellent condition. In fact, we do not think there is a better kept plant anywhere than the Boys Reformatory at Gatesville.

We found in the storeroom about \$10,000.00 worth of merchandise, groceries and clothing. We found 68 head of mules on hand; 2 tractors and farm equipment. Mr. Nesbit told us that he did not need anything except a building for athletics, as he had no place of that kind.

We also found that there is room for 150 additional boys there and some of the floors in the buildings were vacant, and we would not recommend any additional buildings for athletic purposes, but recommend, perhaps, \$10,000.00 for athletic purposes on an open field, which would provide for an athletic ground and equipment, and if they then need some inside place for athletic purposes, we recommend that one of the vacant floors be used for that purpose.

Mr. Nesbit told us that he did not buy any milk or butter for his plant, but did buy some eggs; also stated that he made the mules pay their way and put money in the bank from the sale of mules that served their purposes there and were disposed of. He had some very fine mules, indeed.

We found this plant in the most excellent condition, well kept in every particular. We were not there long enough to go into many details and there might be some things about the handling of the boys that should be corrected. We understand that there has been some complaint about the housing of the boys in regard to the young, or small boys

being put in wards with older and grown-up boys. Complaints were that the younger boys were influenced by the older boys, which might be termed harder in their criminal intent, and would create a bad influence over the young boys, this of course, is a matter that would have to be worked out with the manager of the Reformatory through the Board of Control.

We also recognize the fact that other members of this committee have visited this institution, and perhaps, know more about that situation than we do.

The Superintendent seemed to have very commodious quarters, nice home, nicely furnished. The Assistant Superintendent also has a nice home.

The negro quarters seemed to be well kept along with the white quarters. We went through the school rooms and they seemed to be getting along very nicely. All in all, this institution is run on a very economic basis, and evidently, from all appearance, is being run under good supervision.

I might add that we went through the ice plant and found on cold storage quite a nice amount of beef and hog meat and we found the bakery in excellent condition, run under the supervision of a woman with the assistance of five of the boys.

The Superintendent told us that he raised most of the feed for their stock. I believe he said they bought some oats.

This is the extent of our inspection the short time we were there.

Respectfully submitted to the Committee,

BUNDY, Chairman,
BURKETT.

Gatesville Reformatory for Girls

February 28, 1941

Inspected this institution on Friday, February 28, 1941. This institution covers 160 acres of land; a claim capacity of 270 and on hand 263 inmates. We were told that if a hospital was added the capacity could be increased.

We had lunch in the inmates' dining room at 12:45. Mrs. Stephens is the Superintendent of this home. We inspected the school, as follows:

The Low Eighth Grade. They were typing and studying shorthand.

In the sewing room there were about twenty-five girls. They were working on new wearing apparels. In the work room we found the girls sewing, knitting, crocheting and doing fancy sewing; some very nice work. They have a very nice auditorium upstairs in which a concert was rendered. The institution has a twenty-nine piece band; all girls, of course, and they seem to be making some progress in it.

We inspected the laundry, pump-house, carpenter shop, gymnasium and the Witherspoon Cottage, where thirty-one inmates live. The kitchen, dining room and reception room, as well as the beds and bedrooms were not only fine, but elaborate. In fact, to such a degree, this committee was amazed.

In the hospital we found four of the girls sick and one that had just come in, making a total of five. A Mexican girl claiming to be 17 years of age, pregnant. A white girl who had given birth to a child a few weeks before, 17 years old. Her name given to us as Edith Davies, Singer, Colorado City, Texas.

The Corley Cottage was clean and nice and occupied by thirty-one girls.

The McAnally Building, containing 88 inmates on the two floors. The beds were clean and okey. One inmate in an isolated room.

The Henry Building has fifty-one inmates, both upper and lower floors—clean and girls well behaved.

The Emily Hall, or Texas Building, has thirty-two inmates, twenty-five of which were Mexican girls and seven white girls. The rooms were clean.

At the store or supply house they have on hand about \$1,500.00 worth of groceries; \$3,633.00 worth of dry-goods; \$1,076.86 worth of hardware. There are 600 hens; 70 head of cattle, of which they are milking two head; two bulls. They produce enough milk and butter for the institution and produced for the month of February, 1941, 504 dozen eggs. They have five head of mules; 53 head of hogs, and have an order out for 800 white Leghorn chicks at 12½c each.

Kerrville State Sanatorium

. March 25, 1941

Subcommittee composed of Representatives Eugene McGlasson, Wash-

ington Whitesides, with Jack F. Ridgeway as Chairman of subcommittee.

Your committee arrived at the State Sanatorium for colored tubercular patients at 11:30 a. m. on Tuesday, March 25, 1941, and were met by Mr. Harlson, the storekeeper for said institution, who in turn conducted said committee to Dr. H. Y. Swayze, superintendent of the institution.

The capacity of this institution is 170 patients, with four or five on cots as advised by Dr. Swayze, the superintendent. The committee was shown through the first floor ward, which was occupied by those patients who were considered extremely ill and who were confined entirely to their beds. The wards were in a moderately clean condition and were in a fair state of repair. The committee was shown through the two kitchens of said institution, which were fairly clean and there was no excess stock in the pantries. The employees in the kitchens were fairly neatly dressed although they could have been dressed better; however, most of the employees in this institution, especially the nurses and attendants, are colored, more of them being recovered tubercular patients of the institution.

Said institution has an X-ray laboratory and the necessary equipment thereto, all of which seemed to be in fair condition.

The committee inspected the storeroom which was a large fireproof building in fair condition, and, apparently, the stock of merchandise on hand was not excessive. The committee was unable to find any outmoded merchandise on the shelves in the storeroom.

The committee was next taken into a small dining room where lunch was served. The food was good and wholesome, was not at all fancy, and that eaten by the patients was of good quality and approximately the same as was served to the committee.

After lunch, the committee was shown around the grounds and through the quarters of Dr. Swayze and other employees of the institution. Dr. Swayze's residence is a very nice, hollow tile bungalow, and he stated that he was requesting an appropriation to put a stucco finish on the exterior of said building.

The committee next went to the office of Dr. Swayze and there had some difficulty in obtaining information from the doctor, as he seemed a bit reluctant to answer questions and seemed to be uninformed on any and all subjects discussed by the committee, relying mainly on the storekeeper, Mr. Harlson, to answer any questions asked him. The committee does not know whether or not Dr. Swayze was evading questions or actually is uninformed. However, the committee understands that Dr. Swayze has been the superintendent of this institution as long as the institution has been the property of the State, and has been connected with the institution since its inception in 1919, at which time, the same was owned and operated as a private tubercular sanatorium by Dr. Thompson. This committee was further informed by the doctor himself that he is a tubercular patient. While questioning the doctor as to the method used in determining whether or not there was an arrest of tuberculosis, his answer was based on the action of the patient, leaving this committee in doubt as to any definite method used by him. The observations obtained from Dr. Swayze regarding tuberculosis and the treatment and cure thereof was not in accord with the observations gathered by the committee from doctors of other institutions of the same type.

This committee, in making its investigation, found that the Kerrville Sanatorium had in its appropriation an item asking for \$50.00 per month for publicity of the institution. The committee is of the opinion that the same is wholly inadequate and recommend this item be stricken from the appropriation for this institution, because it is not enough to be of any benefit to the institution or to any individual. In connection with this thought, your committee recommends that if any money be appropriated for publicity of the tubercular sanatoriums of Texas, that the same be appropriated to a central fund to be conducted for the benefit of all tubercular sanatoriums of the State.

Your committee found that the local funds of this institution are within reason, being the sum of \$200.00, deposited locally in the Charles Schreiner Bank located in

Kerrville, and the amount of local funds obtained by this hospital are small inasmuch as the patients of said institution are citizens of low income. The local funds of this institution are spent for maintenance and repairs, and this committee is of the opinion that these local funds collected should go into the general fund of the State, excepting, perhaps, a reasonable sum to be held by said institution for emergency minor repairs that might be needed between Sessions of the Legislature, and your committee deems the sum of \$200.00 is a reasonable amount for this institution.

This institution has approximately 600 acres of ground, run twelve or fifteen head of sheep and have around forty head of hogs, which are fed with garbage from the dining rooms and kitchens. These hogs are butchered for the use of the institution, although occasionally some meat is sold, and monies derived from the meat sold are placed in the local fund. In connection with this thought, the money in the local fund heretofore mentioned, consists of monies derived from sale of hogs, wool clipped from sheep and junk gathered up on the place, together with what monies might be collected from any pay patients, which, as above stated, are few.

The committee found that one employee, being classified as outside supervisor, was paid the sum of \$600.00 per year for the purpose of maintaining the fences of said institution, as well as taking care of the hogs. Also, the institution has several outside employees who look after the grounds. The committee feels there possibly could be a savings of several hundred dollars per year if the outside supervisor were to be eliminated and his work done by some of the other outside workers, or if some of the outside workers were eliminated and the supervisor take care of their duties.

The committee observes that while this institution is very small compared with the State Hospital for Tuberculars at Sanatorium, Texas, it has an appropriation of \$360.00 per year for a part-time ear, eye, nose and throat specialist, while the State Sanatorium at San Angelo is many times larger but seemed to get by

without this service, and the committee feels that this amount of money could be saved by eliminating said appropriation.

RIDGEWAY,
McGLASSON,
WHITESIDES.

Livingston, Alabama-Coushatta
Indian Reservation

March 5, 1941

Subcommittee, composed of Representative Choice Moore and Representative Jack Ridgeway, arrived at the Alabama-Coushatta Indian Reservation at Livingston, Texas, shortly before noon on March 5, 1941. Said subcommittee was met at reservation by Mr. Rex Corley, Superintendent of said reservation. Mr. Corley introduced said subcommittee to his wife, who is his assistant and bookkeeper in said reservation.

The committee was then shown through all the Administration Building of said reservation by Mr. Corley. Mr. Corley seemed to wish to cooperate, and first showed the subcommittee through the canning plant of said reservation. Said canning plant is approximately 20 feet square and is constructed of corrugated iron and is also used as a storage room for surplus commodities of the reservation. At the time the committee inspected said canning plant, several Indians were packing corn meal into small packages to be distributed to the Indians. Mr. Corley advised us that he was requesting a new canning plant and storage room, and especially one that would be rat-proof. The present canning plant showed numerous signs of rats throughout said building. The storage room in said canning plant was crowded, and at any time that the Indians might be given a large supply of surplus commodities there would be no adequate storage space for same.

The subcommittee was next shown two Federal trucks which belong to the Federal Government but which are used by the superintendent of the reservation for hauling supplies. One of said trucks was a one-half-ton truck, and the other a one-and-a-half-ton truck. Mr. Corley stated that he had been advised that he would be personally liable for any

accident he might have in said trucks and suggested that the State furnish a truck, but the subcommittee feels that the present trucks are adequate.

The subcommittee was next shown through the hospital and was introduced to Mrs. Rusk, who is the nurse of said hospital. This hospital has been recently repapered and painted and was very clean throughout. Mr. Corley requested that he be allowed additional money to employ a cook for the hospital, as at present an Indian girl does the cooking, and he stated that she was not able to plan any meals and that it would be necessary to have more money in order to employ a cook who could do this. However, investigation showed that there is very little sickness amongst the Indians, and there was only one patient in the hospital, being a child with pneumonia, at the time the committee was there. The committee feels that the present cook working under the directions of the nurse will be sufficient.

The committee was next shown the teachers' residence, which was tidy and clean but showed signs of the roof leaking. However, the committee feels that this roof could be repaired by some one on the reservation. There are five teachers who live on the reservation, and there are eighty-five students at the present time. The committee was introduced to Mrs. Treadway, who is the home economics teacher on the reservation, and she stated they were badly in need of a new home economics building, as they were using the gymnasium for the home economics classes and were using the stage of the gymnasium to feed the Indian children and were very crowded. The committee feels that a small building or an addition might be added to the present gymnasium in order that this crowded condition might be eliminated.

The committee found three motors on the reservation which had been used for lighting purposes, but at the present time one motor is being used for grinding purposes and two motors are not being used for any purpose. The committee suggests that at least one of these motors be made available for some other department as said motor will not be

used on the reservation, as they now have rural electrification. In this connection Mr. Corley stated that the reservation was being charged a flat rate of \$40.00 per month for electrical services, and he complained that this rate was exorbitant and that he had not been able to get this rate lowered. The committee recommends that the Board of Control take the necessary steps to get this rate lowered, as it seems out of line with the charges made to the other users of this electrical service.

The committee was next shown the stock belonging to the reservation, which consisted of several registered hogs and one mule that was limping badly from an injured leg. Mr. Corley stated that there were several Brahma bulls on the reservation that were there at the time he came to the reservation and were used for breeding purposes for the stock belonging to the Indians. Mr. Corley stated he needed a pair of mules and requested \$350.00 for same, but the committee feels that a pair of mules could be bought for considerably less money than that amount. All pigs raised at the reservation are given to the Indians in return for work done by said Indians.

The subcommittee had lunch with Mr. and Mrs. Corley, in their home. It was neat and well kept but was not elaborate. The committee feels that the home of Mr. and Mrs. Corley is in keeping with his position and nothing more.

Mr. Corley stated that he had requested that the State furnish him a station wagon for the purpose of taking the Indians to various cities where they might earn money by giving performances. He also stated that he requested a private passenger car for his own use. The committee asked Mr. Corley why he could not use the station wagon for his own use instead of a separate passenger car, and he seemed to think that it would be undignified or unbecoming for him to use such station wagon. However, the committee feels that station wagons are becoming quite popular and are being used by many people, and feels that if any car is furnished said reservation that it be only a station wagon and not both a station wagon and a passenger car.

The condition of the Indians seemed very bad, and the committee was told that their available income is approximately \$9.00 or \$10.00 per month, which is derived from the C.C.C. Camp, located on the reservation. The committee feels that Mr. Corley's plan of taking the Indians to various cities to give performances would greatly help the Indians, as they could earn money in this manner. Some of the Indians work at various lumber camps near the reservation, but their salary is very small. The land on which the reservation is situated is extremely poor, and it is very evident that it is next to impossible to raise any amount of produce on same. The homes of the Indians are small, being 3 and 4 room houses, and the committee understands that there are a number of families who are forced to double up and live together in one house, which of course, causes said families to be overcrowded.

There seems to be no plan at the reservation proper to induce any tourists to visit said reservation, and there is nothing for a tourist to see if he does come to said reservation. The committee suggests that some program should be worked out whereby there will be some type of Indian life or evidence of Indian life at the Indian Village so that tourists might be induced to visit said Indian Reservation.

Attached hereto is a copy of an Inventory of September 1, 1940, for said reservation, which seems to be in good order. The subcommittee did not find any condition existing which would bear further investigation but feel that said reservation is being run as well as could be expected under all of the circumstances.

MOORE,
RIDGEWAY.

State Colored Orphans Home
Gilmer, Texas
March 4, 1941

This Home is in a very delapidated condition. There is not a single feature about the whole place that is fit for even Negroes to use. P. J. Rowe, Superintendent, was at Prairie View at a principal's meeting. Your committee talked with Miss Mary Jane Manos, Secretary, and she gave us the following information:

There are 6 teachers (4 come out of appropriations and 2 from Federal help). There are 76 students, 41 boys, 35 girls, and 18 employees. There are 19 buildings, valued at \$22,300.00 and, believe you me, the valuation is high. There are 610 acres; 437 acres in pasture, 140 acres in cultivation, 3 acres in orchard, 4 acres in garden, 36 acres in campus. This Home is located on 610 acres of the sorriest land in East Texas. There has been no general physical examinations for students for the past two years. A thorough physical examination, including Wasserman, is given to each student upon entry. Each student has his teeth examined twice a year.

All buildings are frame buildings with very good ventilation, mostly the ventilation comes through the floor. Some of the cracks in the floor are from one inch to 2½ feet wide. The wood-burning stoves are all made from fifty-gallon oil drums. Everything about the school seems to be efficiently handled in the regular Negro style.

Rusk State Hospital

March 4, 1941

This hospital was constructed out of the old penitentiary that was originally located at Rusk. The main building has six wards in it. Ward A has 72 white women, vitally disturbed. Ward B has 94 white women; Ward C, 95; Third Ward has 99 white male; Ward 2 has 97 white male; Ward 1 has 75 vitally disturbed white male.

The Occupational Therapy Building is full of beautiful exhibits. The best building on the campus is Ward 6 and 7. Ward 6 has 88 criminally insane Negro patients; in Ward 7, 107 criminally insane Negro male patients. The building with Ward 8 and 9 consists of 90 and 103 disturbed Negro male patients.

T. B. Hospital has 67 male patients, white, first floor; second floor has 78 white female patients; Ward 4 and 5 has 75 and 106 Negro male patients. The hospital's first floor has 36 male patients, white. Second floor has 78 female, white patients; third floor is the operation floor and clinical floor; a well equipped dentist office and employees' wards.

Incidentally, there was a seven-months-old baby in the hospital that we never did find out where the baby

came from. They have a new Chapel and Recreation Building with picture shows, billiard tables, pool tables, bowling alley, dance floor, library, etc. In the morning Negro patients are allowed the privilege of the Recreation Department; in the afternoon white patients, and at night, employees.

The Infirmary Building is another ward, 44 white women are in it; South Ward has 84 white women. Ward 10 and 11 have 73 and 84 white men. M Building has 64 violent white women. T. B. Cottage has 67 Negro women. Ward E, F, G, colored women, and has 58, 58 and 60 to the building. Buildings H, K, K, H, has 80, 93, 80 and 76 Negro women. In L and O Building 4 psychopathic patients, and 63 and 72 white women are located. M, P, H, Buildings have 42 and 79 white male.

Doctor Wheeler seems to be a very energetic and efficient manager as well as a doctor. He seems to know all about everything that takes place in the hospital. The greatest recommendation he made was for a social service worker to act as a go-between for him and the relatives of the patients. He assured the committee that if a salary of \$1200.00 and \$500.00 for traveling expenses be given to him for one such worker, he could increase the output by ten per cent a year. His home is very modest, very plain. Everything nice but not elaborate.

San Antonio State Hospital

April 9, 1941

Report of Eleemosynary subcommittee, Wednesday, April 9, 1941, two committees composed of Mr. Stubbs, Mr. Garland, Mr. Rampy and Mr. Whitesides, in the first committee, and Mr. Moore, Mr. King, Mr. Weatherford and Mr. McGlasson, in the second committee, made a trip to San Antonio to investigate the State institution. The first committee arrived about ten forty-five a. m., the second committee arrived at approximately eleven twenty a. m. and were met by Dr. W. J. Johnson, the superintendent of the institution. Dr. Johnson, at our request, conducted us first to the central dining room, employees' dining room and central kitchen, where 1619 patients are fed. There are seventy-one paid employees and one hundred and seven patient

employees working under eight cooks. The food was not as good as your committee thinks it should have been, although the menu was well balanced, having two vegetables, a starch and a meat. The conditions in this dining room are very crowded, serving both men and women from the violent wards at the same time. The committees found the kitchen at its worst, therefore we must bear in mind that the kitchen was not as clean as it ordinarily would have been, although the equipment was all in place and tidy considering the circumstances.

The doctor was reluctant in allowing the committee to break up into separate groups of two or three each, although after assuring him that was our intention he called for three employees to show us about the grounds, namely, Mrs. Stanfield, Miss Gray and Mrs. Mayfield. Mrs. Stanfield is employed as Dr. Johnson's secretary, Miss Gray is employed as social service employee, while Mrs. Mayfield is the dietitian. In connection with this thought, your committee learned that Mrs. Mayfield is not a college graduate, never having attended any school where dietetics is taught. In connection with this thought, your committee recommends that the dietitians of all State institutions be a graduate of an accredited college or university majoring in dietetics.

Before going any particular place on the grounds, we had lunch in the doctor's dining room and were served a very delicious meal consisting of five or six vegetables and steak. After luncheon, we were escorted first to the ward building known as M. P. H. 1. Dr. Johnson insisted that the committee all stay together and go through the ward buildings, however, we saw we would never accomplish our purpose in so doing. The committees of three went three respective ways, going through various ward buildings. We found the buildings to be in a very orderly condition, the patients resting as it was rest hour from two to four, and the corridors all clean and the furniture well kept. Your committee noticed in going through the buildings that a number of Mexicans, who appeared to be of ill health and who were ill kept, were confined in the room with the whites. A number of these Mexi-

cans were unable to speak English and made it very confusing for those about them who are mentally disturbed.

After having gone through the wards, we were then shown through the dairy barn, which one committee inspected and found it to be well kept, but the herd is just about half as large as it should be. The institution is having to purchase two hundred gallons of milk daily, at the cost of twenty-two cents per gallon. Your committee recommends that there be in the appropriation additional funds for the purchase of milk cows. We especially recommend this item in view of the fact the institution has approximately three hundred acres upon which feed stuff is raised. Attached hereto is the report of the committee which made the investigation of the dairy and the farm.

From the dairy barns, one committee went through the power plant, the ice plant and the ice cream plant. The first thing that struck your committee in the power plant was the unnecessary burning of electric lights. The sun was shining brightly and every light in the plant was on. We recommend that there be notices sent to the employees of the institution to watch this item, although a minor item this amounts up over a period of a year. The tools and the equipment in the boiler room were not in the best of order, although they were not scattered asunder; the engineer's office looked more like a plunder room than an office. Your committee recommends that this condition be corrected and all the bolts, couplings, elbows, pipe fittings and various other equipment used about the institution be placed in their proper places. There is an item in the appropriation asking for a new boiler. In the boiler room we found two boilers of 490 horse power each, one constructed in 1927, the other in 1937.

The engineer, Mr. Egbert, who showed your committee through the power plant, ice plant and ice cream plant, pointed out to the committee the condition caused by the chemicals in the water as used by this institution. Mr. Egbert also showed your committee a number of water bills of previous years, ranging from \$1,098.00 to \$1,588.98 for use of water

at the institution. In view of the fact that water can be reached at thirty-five foot level and it is soft water from the woodbine strata, your committee recommends that the Board of Control be authorized to investigate the feasibility of drilling their own well. Especially do we recommend this in view of the fact that we learn a drilling contractor offered to drill a well and set a tank of large enough capacity to care for the institution for three years water bill. Also, the water from this strata would be soft and there would be a saving to the State on the purchase of soap as well as boiler compounds.

After visiting the power plant, ice plant and ice cream plant, we went to the recreation hall where we found a number of the patients having a very enjoyable evening and lounging around watching the others play. In the recreation hall there is located a cigar, cigarette and candy counter serving, as well as the above mentioned, cold drinks. This is for the benefit of the patients as well as any visitors. We were advised that this little stand brought in approximately \$500.00 a month.

After visiting the recreation hall we went to the storeroom where we were met by a Mr. Dunn. Mr. Dunn advised your committee that he had only been there a little over a year. Probably this accounts for the fact that he was not familiar with the storeroom and continually referred to the assistants for information. We were advised that they purchase \$60,000.00 worth of merchandise at a buying, making their purchases three times a year, January, March and September. We requested a copy of their inventory, but were advised that they had no copy and did not keep any, but were promised that we would receive, and did, within the next four or five days, a copy of the inventory they were making. This is attached and made a part hereof. Mr. Dunn was very reluctant in giving your committee information with reference to certain stocks on hand, and when we advised him we wanted a copy of the old reserved stock, he said he had none. We explained to him that we desired a list of this stock that was no longer needed to transfer to an institution where it could be used. He then said he had

quite a bit of this stock and would make a list for us. We were unable to get a complete inventory of what the storeroom was supposed to have, inasmuch as they were receiving their second supply and the delivery was not complete, although we did find on hand great quantities of merchandise, which we think is too much.

From the storeroom we were shown the beauty parlor of the institution, which is equal to any in the State, having been remodeled recently and being furnished with elaborate fixtures, having the very latest type of lighting equipment, the very latest style booth, in fact as heretofore stated, it equals anything in the State. We were advised the beauty parlor brought into the local fund between five and six hundred dollars per month. This establishment is operated by Mrs. Pace and she has on hand a very elaborate stock of merchandise consisting of fine perfumes and toilet water, nail polish and practically anything that Milady desires in the way of cosmetics. Dr. Johnson says that the beauty parlor is a paying thing for the institution, but he did not take into consideration the fact that the electricity for the lights, curlers, dryers, blowers, the heat, in fact, all utilities are paid by the institution and not charged against the beauty shop. Therefore, you can readily see that this is a paper profit and not a financial profit.

We then went from the beauty parlor to the building titled, "The Little Store." The Little Store is a confectionary operated by Mr. Wiley, general manager, and has a soda fountain, a short order counter and a number of tables, and is equipped with the very latest modern equipment and is most elaborate. The furnishings and trimmings in the building are very expensive, which your committee thinks is an unnecessary expenditure of money. We were advised that the Little Store brought in between five and six hundred dollars a month. Likewise, there were no utilities charged against the store—that is, lights, water, gas and telephone. Your committee endeavored to determine whether the merchandise bought by the Little Store was bought through the big store or separately, and we were advised that

the merchandise was bought out of the fund called "Local retained fund." Your committee recommends that each of the two buildings just described, the beauty parlor and Little Store, make some contribution to the institution for payment of utilities, lights, water, gas and telephone. Also, your committee noticed that the price of merchandise in the Little Store was way above the average price of the same merchandise sold in town, and wonder if this is fair to the patients and to the employees. Especially do we ask this question since some of the patients are never allowed to leave the grounds.

At this time we were escorted to the doctor's home for "dinner" and were entertained in a most lavish fashion. Do not ask your committee to put in writing or do not ask your committee to dictate to the lady what they think of this situation.

After dinner, we returned to make further inspections and were shown through the old main building, which is the original building of the institution. There is an item in the appropriation for replastering and fireproofing this building. We feel that this replastering needs to be done at this time, although the fireproofing can wait, inasmuch as this building is occupied mostly by paid employees of the State. We were then shown the "Chapel" where picture shows and dances are held for the benefit of the patients. This is over the sewing room and O. T. room and is, indeed, a fire trap. If some provision can be made to remedy this situation it should be done without further delay, inasmuch as there is no opening through which the patients could escape and is located on the third floor. Also, this building needs to be remodeled for the reason that the foundation is giving away for the second floor. Your committee recommends that before any additional buildings be constructed, that the present buildings be remodeled and the hazardous fire traps removed.

Your committee then returned to Dr. Johnson's office, where we went into the details of the budget and the local funds. We were advised that there is on deposit \$2,790.00 in the retained local fund in the Frost National Bank. This money is all carried as the retained local funds,

which is composed of monies collected from pay patients, monies collected from sale of junk and various things about the institutions, monies sent the patients by relatives for spending, also monies from the Little Store and the beauty parlor; however, on the books of the institution they have an item called "trust fund for patients." Out of the local retained fund, your committee was advised, this institution pays ten employees and a \$10.00 supplemental salary to Dr. Carabin, the dentist. This makes a total of \$465.00 per month out of the local funds. Your committee also learned that this institution saved from their appropriation last year the sum of \$30,000.00, but this money was not turned back to the State but used for improvements. Also, taken out of the local fund are sums amounting to \$1,274.99, a list of which is attached hereto and made a part hereof. Also, you will find a list of the ten employees, hereinabove mentioned, attached hereto and made a part hereof.

After discussing local funds, we returned to the budget and explanation of each item. One thing that I desire to call to the attention of this committee is that the appropriation calls for twenty-five cooks, and the report of the dietitian only lists twenty-two cooks in the employment of the institution. A list of these cooks is attached hereto and made a part hereof. Your committee was unable to determine definitely what the doctor had in mind on a number of the items on the appropriation and wonder if this is not due to the fact that his days are numbered and he did not desire to give any more information than he deemed necessary.

Your committee asked for and received a list of the married couples and their salaries and residence, which list is attached hereto and made a part hereof. Compared to the salaries paid married couples living on the grounds at other institutions, the salaries of this institution are very low, although we think that they are in line. If any change is made, we think the salaries should be changed at the other institutions.

Your committee investigated at this institution the item "Pay Pa-

tient Collector" and found that Tom Leach was paid out of the local funds in Austin. At this institution, as at institutions visited prior to this time, your committee learned that the superintendent and his office gathered the necessary information and data to make the collection and then passed it on to Mr. Leach for collection. He in turn took action through some attorney in the town from which the patient came. We again make the same recommendation as heretofore filed with this committee, that some arrangements be made whereby these collections can be made without the institution's being taxed for this collection.

State Tubercular Sanatorium

Sanatorium, Texas

March 26, 1941

Subcommittee composed of Representatives Eugene McGlasson, Washington Whitesides, and Jack F. Ridgeway, chairman of subcommittee.

The subcommittee arrived at the above institution Wednesday, March 26, 1941, at approximately eleven o'clock a. m., and upon arriving questioned an attendant who stated that he was the housekeeper for Mrs. L. C. Rambo, whose official capacity is Superintendent of Nurses. This attendant stated that his primary duties were to sweep and dust and look after Mrs. Rambo's apartment. The committee observed in this connection that Mrs. Rambo is paid the sum of \$100.00 per month and her husband, also employed at the institution, receives the sum of \$117.50, and each lives at the institution, receives their board and laundry. The committee does not know whether or not it was part of the salary of these particular employees to furnish them with a housekeeper, but in this instance the State is paying an attendant approximately \$35.00 a month for this service.

The committee was next met by Dr. J. B. McKnight, superintendent of this institution, who was quite a conversationalist, and who seems to be most interested in the institution and its welfare. Dr. McKnight showed the committee through several kitchens and introduced said

committee to Miss Mary Treadwell, the dietitian of said institution. This institution has eleven kitchens and dining rooms combined, which are located throughout the grounds, and each kitchen and dining room feeds from 565 persons to as low as forty persons. The committee questioned both the dietitian and the superintendent of the institution as to the practicability of this arrangement, and the superintendent assured the committee that it was better to have this many kitchens rather than several centrally located. Each building has its own kitchen and dining room for feeding patients in that particular building, and this accounts for the large number of kitchens. Patients who are able to do so take their meals in said dining rooms, and those that are confined to their beds and not able to go to the dining rooms are served by trays. In this connection, the committee understands that this institution has asked for still another kitchen and dining room for the purpose of serving the doctors, but it is the opinion of this committee that same is not necessary and recommends that same be not granted.

The committee observed the patients and employees during their meal and in this institution both the patients and employees have the same food, which is good and wholesome, but not extra fancy. Attached hereto are several copies of the menus served in the institution for a period of one week. The committee observed that the kitchens and dining rooms are exceedingly clean and well kept. The equipment is in excellent condition and the pantry of each kitchen being moderately stocked but not overstocked.

This institution has 950 beds and, at the present time, practically all of said beds are occupied, and the institution has a waiting list of several hundred persons who seek to be admitted.

The buildings of this institution seem to be in good condition and are in a good state of repair, except one, as more fully set out here below. At the present time, a nurses' home is being remodeled and will provide more space and better accommodations when completed. The one building hereinabove referred to is

known as the old store building, and which is now being used as an attendants' and nurses' residence. The institution has made a request for an appropriation to replaster some of the walls of this building and to put in several partitions for the purpose of making small rooms out of one large room where some of the nurses are now living. This would be an improvement and is recommended by this committee. In connection with the state of repairs of the buildings, this committee would recommend the same type of construction for other State institutions as constructed upon the campus of the above institution, the same being simple, sturdy, concrete buildings. The committee observed that all of the buildings were kept extremely clean, and have no comment to make nor criticism to offer regarding the maintenance of same or regarding the cleanliness of the buildings and grounds.

The members of the committee inspected the storeroom separately and apart from any employee of the institution and found as follows: The storeroom was fairly clean but showed signs of a fire, and the committee learned later that there had been a fire in this storeroom caused by a cigarette, and causing a loss of several thousand dollars worth of merchandise. The committee recommends that necessary steps be taken to absolutely prohibit any and all smoking in or about all storerooms of State owned institutions. The committee found eleven Edison electric ranges stored in this storeroom, which were in excellent condition and are carried on the inventory of the institution at the value of approximately \$6,000.00. The value of the ranges being arbitrarily set by the superintendent and the storekeeper. Said ranges are listed in the reserve stock. If these ranges are permitted to remain unused in said storeroom, same will deteriorate and become useless, and committee recommends that either these ranges be transferred to some other institution that might use them or be sold in order that some revenue might be derived from same. These ranges have been discontinued for approximately one year and have been in said storeroom for said length of

time. Also, there are six or eight coal heating stoves stored in this storeroom, and the same recommendation is made by this committee as to them as above set out for the electric ranges.

A check of the inventory and the reports of this institution reveal that all eggs purchased for the institution were purchased at a yearly average of sixteen and one-half cents per dozen. The committee observed, however, that in this, as well as other institutions where chickens are kept and raised, the annual reports show that eggs produced are valued at the rate of twenty-five cents per dozen, and, consequently, show a paper profit on the egg production of eight and one-half cents per dozen. This committee feels that the State would save money if all eggs would be purchased by the various institutions, but if it cannot be done, and said institutions must engage in the chicken business, that on all reports showing the cost of said eggs the actual market price for the period covered by said report shall be used in computing the profit or loss. The committee found that special feeds were bought by this institution to feed their chickens and were then sent into San Angelo to be mixed according to some scientific formula, although enough feed stuff is raised on this farm to supply the demand of the poultry farm.

The committee observed that at this institution the majority of the canned goods on hand were of brands other than the prison canned goods, and in connection herewith, the reason or excuse for failure to use more of same was that they were not satisfactory. This institution is the only one that complained of the quality of food produced by the prison system, and this committee is of the opinion that necessary steps be taken to see that more prison canned goods are used.

Your committee next visited the power plant of this institution and found that the machinery was not kept as clean as it should be. Your committee investigated the feasibility of the addition of the steam turbine as requested in the appropriation of this institution. After investigating the feasibility of the purchase of a new turbine for this institution, your committee recom-

mends that the purchase be not allowed. In connection with this thought, your committee recommends that an investigation be authorized to reduce the utility rates of this institution. It is the opinion of this committee that should there be a purchase made, it should be an electric generator to generate electricity, rather than the steam turbine. If this be done, all electricity used by the institution could be generated and delivered at a cost less than what the institution is now paying. In connection with the power plant, your committee inspected the ice plant. We beg to report that the condition in the ice plant was very satisfactory and that the ice plant was operating at a saving to the institution with a capacity of more than that which was needed by the institution.

Your committee next inspected the laundry and found that they were working under a handicap in that there was not enough room for the machinery used in the laundry. In connection with this thought, however, we found that all machinery was kept in a good state of repair and was kept clean.

Your committee next investigated the dairy of the institution and found the herd well kept and well attended, having about fifty per cent Jersey and about fifty per cent Holstein cows. The committee learned that each two or three years the institution is required to purchase new dairy equipment by the State Dairy Inspector, in that the equipment is supposed to be outmoded, although the committee learned the equipment replaced in the institution was in good serviceable condition, and it was the opinion of the storekeeper and superintendent that the equipment replaced was serviceable and performed as well as new equipment. The committee feels that this practice should be discontinued and the equipment used as long as it renders service. This committee found that in addition to the amount of milk produced on the place, approximately 300 gallons per day, it was necessary to purchase 200 gallons per day at thirty-two cents per gallon. This committee recommends that in view of the fact that this institution has a number of acres upon which food stuff can be

raised, and further in view of the fact that the dairy at this institution is being operated at a profit, that additional purchase of Jerseys and Holsteins be made by this institution.

Your committee next discussed with the superintendent of this institution the matter of local funds, and refers hereto to the attached report of this institution for the year beginning September 1, 1939 through August 31, 1940. Your committee found that during said period said institution collected the sum of \$12,298.80 from all sources, and the majority of this money is sent to the State Treasurer to be deposited as a local account for this institution. Your committee learned that, at the present time, approximately \$8,000.00 is on hand in a local account in a San Angelo bank and this money is used for maintenance, repairs and certain incidental bills, such as express charges and several other minor expenditures. At this institution, your committee feels that a great deal more money could be collected if proper diligence were used for the collection of same, as the class of patients at this institution is much higher than those at other institutions visited by this committee.

Your committee reports that there is a department in the Board of Control Department which is entitled "Pay Patient Collector," and the present holder of this position is Mr. Tom Leach, whose salary is \$4,000.00 per year. This committee understands that the duties of such collector is to help the several eleemosynary institutions collect as much revenue as possible from those patients who are able to pay. However, your committee reports that at all of the institutions visited this collector had not made his appearance in a period of approximately a year, and at some of the institutions this man was not even known, and in this connection the information gathered by this committee is that the superintendents of all institutions obtain the necessary information to make the collections and then pass it on to the pay collector. Further, in this connection, each institution is obliged to pay the salary of this collector out of its appropriation, and your committee feels that

this department is not collecting as much money as could be collected if same were properly supervised. In view of the fact that the necessary data to make these collections is obtained by the superintendent of the institution and then passed on to the pay patient collector, your committee is of the opinion that this information should be passed to the Attorney General's Department for collection, thereby saving the expenditure of a pay patient collector. Your committee further recommends that a subcommittee be appointed for the purpose of finding out how this pay patient collector office is run, and that said subcommittee be instructed to report to this committee at its next meeting and disclose their findings.

This committee urges that some sort of bill be passed requiring that all local funds of the various eleemosynary institutions be deposited in the general fund of the State of Texas, providing that a reasonable amount be retained by the various institutions for emergency minor incidental expenses.

Your committee inquired as to the number of husbands and wives carried on the payroll of this institution, and found that a surprisingly large number of husbands and wives were carried on the payroll and listed as living inside the grounds with their bed and board and laundry furnished. Attached hereto you will find a copy of all married employees and their residence, and all related employees and their residence, as well as the salary of each.

Also attached hereto is a copy of the inventory for this institution as of August 31, 1940, as well as the biennial report for the year ending August 31, 1940.

RIDGEWAY,
McGLASSON,
WHITESIDES.

Terrell Institution

Terrell, Texas

February 28, 1941

Report of subcommittee, on findings at the Terrell Institution:

We arrived in Terrell about noon, Thursday, February 28; met Dr. William Thomas and ate lunch with some of the employees. In the din-

ing room in which we ate, we found six men and five ladies eating. Dr. Thomas has been Superintendent of this institution about four years. Previous to that time he was Supervisor of the Rusk Hospital.

We met Dr. Powell and inspected the apartment occupied by him and Mrs. Powell in the Administration Building. From what we gather, Dr. Powell has been with the institution, or with this department and an employee of the State of Texas, for about forty years.

We began inspection of the institution as follows: Beginning on the west wing of the lower floor occupied by negroes, the building being old and is in need of some repairs. We found the dining room clean; bathroom clean, but part of it had a bad odor and some disinfectant was needed.

On the second floor we found some white patients. The floors were clean and looked very well.

On the third floor was some concrete floor and looked clean, while on the west end was a wood floor and was reasonably serviceable.

On the fourth floor we found it clean, occupied by white men, some wood floors in this building. This was where the violent and dangerous patients were kept.

In the basement of this building we found a shoe repair shop. On the east end of this building is the Woman's Ward. On the first floor we found about 110 negro women. The rooms were clean. Looking at the wings of the building we found cracks in some of the walls and the Superintendent called our attention to the fact that they appeared to be dangerous and might fall, but it is the opinion of the committee that those walls might stand for several years as they now are.

The Female Infirmary is an old building and reminded us of the lobby of the Driskill Hotel and some old banquet hall. This building could be repaired at a reasonable cost.

Occupational Building of Therapy. This is practically a new building. We found eighty ladies in this building, doing fancy work, such as crochet, knitting, making rugs and other floor coverings. On the second floor we found the kitchen and dining room, which were clean and nice. There were fifty-nine occupants.

In the N Two Building we found eighty-one patients. They were very noisy and demented.

In the X Building there were seventy patients. The kitchen and dining room were clean and modern.

The XX Building was also clean and modern.

The Chapel is a new, nice building.

The Psychopathic Female Building has 120 patients. There is a large reception room; very clean and modern. This committee would be glad to occupy any of these rooms while attending the Session of the Legislature.

H-Ward has sixty women. K-Ward has ninety women. This is also a modern building. L-Ward has ninety women. M-Ward is a new building; 70 is a clean and good building. O-Ward has eighty-two women in it.

F. A. 4-Building has eighty-four negro women patients; a good building. Some of these patients are violent.

Laundry and employees; clean and modern. Power House, Machine and Welding Shop.

We did not go into the barn and lots on account of being too muddy.

In the Warehouse the stock should be better kept. We found too much oatmeal on hand. There was about a ten months supply, which was bought from a firm in Sherman. There should not be over a three months supply at any time. This building should be made rat proof.

The Central Kitchen is of some magnitude as any kitchen is that serves 1,600 meals three times a day. It is clean and well kept.

There is a little store on the ground which carries a stock of about \$1,500.00 worth, makes an annual sale of \$13,000.00. We were told the profit from these sales is sent back into the State Treasury.

The Sewing Room has six employees and six inmates making and repairing garments for the institution.

On February 27, 1941, the population of this institution was as follows: 121 negro women; 231 negro men; 1,158 white men; 1,105 women. Making a total of 2,615 inmates.

These buildings and grounds comprise 750 acres of land. There are 18 head of mules; 230 head of hogs and 311 head of jersey cattle, of

which they milk 120 head of cows. There is one tractor; one Chevrolet sedan; one sedan milk car; two good trucks, one Ford and one Chevrolet. One truck is in fair condition and one truck really of no value. There was produced from 1,500 laying hens, 17,613 dozen eggs. For the year, 98,277 gallons of milk and 71,565 pounds of pork was killed from the hogs raised on the place.

Dr. Thomas was appointed by Claude Teer, John Wallace and Tom DeBerry. As stated above, Dr. Thomas has been in this institution only about four years. The building in which he lives cost the State of Texas the sum of \$23,000.00, and is not only modern, but elaborately furnished. This, we do not charge Dr. Thomas with, but a previous superintendent. There are several other assistant superintendent buildings, costing from \$2,500.00 to \$6,000.00.

Wichita Falls State Hospital

February 28, 1941

In the original Female Hospital we found thirty patients. The kitchen was clean and there was a dishpan full of left-over biscuits. On the second floor of the old building we found thirty-nine patients in living quarters. On the first floor of the Female Infirmary we found twenty-six inmates; two infants; bedroom, dining room and kitchen clean.

"A" Building contains 71 patients, mostly old people. There was considerable odor which was caused from the patients of such age, being almost like infants. We found the kitchen very clean and they were serving a chicken dinner.

"B" Ward, which is upstairs, has 128 patients; clean beds. The patients were old and could not care for themselves; bad odor.

"C" Building has sixty-eight patients on the lower floor. The rooms were clean; kitchen was clean and they were serving a steak dinner.

"D" Building, which is upstairs, had 127 patients.

"E" Building there were seventy-six patients on the lower floor. The kitchen and dining room were clean and they were serving a steak dinner.

"F" Ward is the upper floor of the "E" Building. The beds were clean.

"K" Building is on the lower floor. Has one bath and two showers with

98 patients on this floor. Buildings and apartment are well kept.

"L" Building is upper Ward of the "K" Building. We found 98 patients. There was one large bathroom with a tub and two showers.

Employees Building, Female, is a very nice building. Has approximately 30 employees who live there.

The Chapel Building was locked and we were unable to get inside.

The Employees Building Sewing Room was used as living quarters for seven people—too much for employees; could not get into the kitchen downstairs.

Medical and Surgical Hospital has 14 patients on the downstairs floor and 14 upstairs. Claim that a little repair was needed in the operating room. On the west end was the Woman's Ward where there were 14 patients upstairs and 14 patients downstairs; two infants.

The Violent Building. We found 83 patients downstairs, and 142 patients upstairs—very violent. The kitchen was clean and the quarters were as clean as could be expected under the conditions.

In the Psychopathic Building we found twenty females on the south side and twenty-three men on the north side. The dining room was very fine; almost elaborate. The rooms were clean and too expensive. The upstairs of this building cared for twenty-six men. Rooms were provided in the men's department for disease.

The M. P. H. B. Building contained two floors, the lower one being occupied by twenty-four patients; the upper not open. The kitchen and dining room feed 40 people. They had four automatic dish washers for that number of people. Everything very modern and the meals were served cafeteria style.

Employees Kitchen is near the dairy barn. They feed about 50 men patients in the hospital.

Sunday morning Dr. A. T. Hamretta, Assistant Superintendent, was with us for a while. We went into his home. It is a nicely arranged building and appeared to be economically, yet comfortably furnished.

The M. W. Building No. 7 and 8 cares for about 210 male patients.

The M. W. Ward No. 5 and 6, cares for 224 patients. Both wards are in good condition. It was clean throughout.

M. W. Ward No. 3 cares for 75 patients downstairs and 134 patients upstairs. Some odor in these wards, but the kitchen was clean.

The M. W. Ward No. 1 and 2, cares for 76 patients downstairs and 137 patients upstairs. There was some odor in these wards, but the dining room and food was okay.

Men's H. Ward, known as the Neff Building, cares for 27 patients upstairs and 46 patients downstairs.

The M. H. Ward 1 and 2, cares for 20 patients upstairs and 38 downstairs. Dinner was being served. This is one of the oldest buildings, but was in good condition.

The Vocational Building was closed, being Sunday and no work going on.

The stock of merchandise in one of the buildings was about \$2,600.00 and the sales amount to around \$24,000.00 or \$25,000.00 annually. It was claimed that the profit from the sales of this merchandise was returned to the State Treasury.

The Wichita Falls Institution covers 790 acres of land; 230 acres in cultivation. There are 13 head of horses and mules; 475 head of hogs and pigs; 230 cows and calves. They are now milking 71 head of cows, which produce about 275 gallons of milk a day. The average egg production is about 2,300 eggs daily.

We found one Percheron stallion that Dr. Dorbandt claims he had purchased with his own money and claimed the stallion was not for service.

We found one 1931 Chevrolet truck, not very serviceable. A 1937 and 1939 Chevrolet truck, both in good condition; a 1937 panel truck in good condition; one No. 30 Farmall and one No. 8 Farmall.

The merchandise as of March 1, 1941, is listed below:

Groceries	\$11,164.72
Hardware	12,461.99
Dry Goods	37,199.71

Of this stock of groceries we found stored on the outside, fifty-six drums of cooking oil.

We went into the home of Dr. Dorbandt, the superintendent. The home and furnishings cost approximately \$10,000.00. It's a nice home; too expensive for such purposes. It is claimed that Dr. Castner built this house.

We also saw the two chicken "roosters" for which the State paid \$20.00 each for them. They now have orders out for 800 baby chicks at 12½¢ each. The superintendent claimed that the chickens were paying for themselves. If they are, eggs must be priced very high.

The request for this institution is made for \$335,000.00 for the years 1942-3; for one new building \$130,000.00. It also appears that the attendants in the various institutions should be flexible, but the amount appropriated for them should be a stated amount.

Waco State Home

April 7, 1941

On the morning of April 7, Mr. Omar Burkett and myself left for Waco, Texas, arriving there about 9 o'clock and remained there until 11:30, making informal inspections of the Waco State School.

We found Judge Patterson in his office and discussed matters with him quite a bit, and then made a preamble over the grounds and through some of the buildings. Went through the hospital, discussed the situation in that building with the two nurses in charge, Mrs. Newman, and her co-worker.

We then went and made an inspection of the Vocational Training Quarters for Boys, which consisted of one small room and a very small amount of equipment, mostly woodworking machinery. Personally, I was interested in that work, and I really think there should be some equipment and a building provided for that institution for that particular purpose.

We then went across and looked at 17 acres of land back and adjoining the institution, which has been discussed with a view of purchasing the 17 acres for additional land at the school. Judge Patterson told us that the school was renting the land for grazing purposes, I believe he told us the rental charges was \$75.00 per year.

Mr. Burkett and myself think it would be a good thing to purchase this land at about \$7,000.00, but we feel that if this is done that the recommended appropriation for \$60,000.00 for a building recommended

by Judge Patterson and eliminated by the Board of Control should be placed back in the appropriation and that \$7,000.00 for the land be taken out of the \$60,000.00 and the balance used for a Vocational Building and equipment. And if we cannot get the \$60,000.00 allowed in the appropriation bill, we would then recommend that \$30,000.00 should be allowed and \$7,000.00 still be taken out of that amount and take the balance of \$23,000.00 and make it go as far as possible toward a Vocational Building and equipment.

We further recommend that there be a housekeeper for the hospital allowed, at a salary of about \$50.00 per month, to take care of the hospital as the two nurses just have too much to do to take care of patients and take care of the hospital too.

We did not make any inspection of the stock of merchandise on hand, as we did not have time, our main purpose there was with reference to the Vocational Building and the 17 acres of land.

The buildings all seemed to be well taken care of, everything seemed to be pretty well in order.

We noticed the absence of any finery around the building, in the way of office equipment or otherwise. It did not appear that there had been a great deal of money spent along that line, and Judge Patterson seemed to have the situation pretty well in hand and was well posted on the workings of the plant.

Respectfully submitted to the Committee,

BUNDY, Chairman,
BURKETT.

Waco State Home

March 20, 1941

Report of the subcommittee, Members: Fitzgerald, Chairman; Burkett, Whitesides; Clerk: Weatherby.

We arrived at the Waco State Home about 4:00 p. m., Wednesday, March 20, 1941, and immediately began our inspection. This Home is located just outside the city limits west of Waco, which, it seems, is entirely too close to the city, and is operated by Judge Patterson, superintendent. It will be almost impossible to acquire more land at this location for expansion. There are

only ninety odd acres owned by the State at this Home which is adequate for the present number of children of about 465. The Home could use more land for a pasture for the dairy cattle and hogs.

Our committee divided up, each member inspecting a different part of the plant, Mr. Fitzgerald made a thorough inspection of the storeroom, while Mr. Burkett inspected the farm, dairy, stock, and equipment, and my assignment included inspection of the buildings. They were repairing the big boys' dormitory and no care whatever was being made of the beds and bed clothes which were covered with cement, dust and dirt. Most of the buildings were in good repair and, as usual, all were fully occupied. The new girls' dormitory is the best arranged and most convenient building I have visited. Each room has three or four girls in it which is not too crowded, nor too solitary.

The library is entirely inadequate for the institution, being in a small room with very few books in it. Certainly something should be done in regard to the library. There is also the problem of a high school. It is obvious that it would cost too much to maintain a high school on the grounds, because of the limited number of students, yet the administration has no control over the children while they are away during the day at Waco High School. In other words, constant supervision is impossible and children never get enough supervision of the right kind. What is the possibility of transferring high school children to Corsicana, or trading older for younger children?

The band equipment is old and in a bad state of repair. They must have new instruments if they are going to have a band.

Another problem the school has to face is that of the feeble-minded students. Every grade that I visited, from the first to the eighth, had from one to three feeble-minded students, usually seated to themselves in the back of the room and there was one room called the opportunity room with fourteen students present from ten to eighteen years old under the supervision of a teacher making what-nots and such. The question

in mind is, what should be done with these feeble-minded children?

Another thing about the Waco State Home that impresses one who has visited the Corsicana Home is the attitude of the children. The children here at the Waco Home are much more friendly and have a more pleasing disposition than those at Corsicana. You can't help but notice the difference in attitudes, and the difference may be the result of a smaller home, that I do not know.

Quite a number of the older boys have been inducted into military service this year and several were on the eve of going to the Navy while we were there. This, of course, has made room for other children to come into the Home.

The dairy was in fair condition. Total stock was 96 head, including two bulls and 44 cows. There was one span of mules, ten years old, and one Ford truck, 1938 model, 1½ tons. Mr. Sharloh, the dairyman, recommended that ten per cent of the cattle be culled each year.

We received very courteous treatment by all employees and had a very pleasant visit, lasting until about 1:00 o'clock Thursday.

We were entertained at Judge Patterson's home Wednesday night, as well as having a chapel program for our benefit Thursday just before lunch.

WHITESIDES.

RECESS

Mr. Morgan moved that the House recess until 3:00 o'clock p. m., today.

Mr. Manning moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion of Mr. Morgan prevailed, and the House accordingly at 12:20 o'clock p. m., took recess until 3.00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

RECALLING HOUSE BILL NO. 161 FROM THE GOVERNOR

Mr. McMurry offered the following resolution:

H. C. R. No. 249, Recalling House Bill No. 161 from the Governor.

Whereas, House Bill No. 161 has passed both the House and Senate and is now in the Governor's office for his action; and,

Whereas, It appears that one section of this bill might cause the entire bill to be held unconstitutional by the Attorney General; now,

Therefore be it resolved, by the House of Representatives, the Senate concurring, That House Bill No. 161 be recalled at once from the Governor's Office for further consideration and correction.

McMURRY,
PARKER.

The resolution was read second time and was adopted.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1082

Mr. Hardeman moved to reconsider the vote by which the House refused to concur in Senate amendments to House Bill No. 1082 and requested the appointment of a Conference Committee to adjust the differences between the two Houses.

The motion to reconsider prevailed.

Question: Shall the motion by Mr. Hardeman, that the House refuse to concur in Senate amendments to House Bill No. 1082 and request the appointment of a Conference Committee, prevail?

Mr. Hardeman withdrew the motion.

Mr. Hardeman then moved to concur in Senate amendments to House Bill No. 1082.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 423 ADOPTED

Mr. Reed of Dallas submitted for consideration at this time the Con-

ference Committee report on Senate Bill No. 423, same being the bill making an appropriation for the support of the various State Departments of Government.

Mr. Alsup moved that the report be not printed in the Journal, the report having heretofore been ordered printed as a supplement to the Senate Journal.

The motion prevailed.

Mr. Eubank raised a point of order on further consideration of the Conference Committee report at this time, on the ground that the report has not been on the members' desks for forty-eight hours.

The Speaker sustained the point of order.

Mr. Bean moved to suspend the Rules in order that the House may take up and consider, at this time, the Conference report on Senate Bill No. 423.

The motion prevailed.

Mr. Hartzog moved that all debate upon the Conference report be limited to three minutes each.

The motion prevailed.

(Pending consideration of the report Mr. Cato occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Reed of Dallas moved that the Conference Committee report be adopted.

Mr. Harris of Hill moved as a substitute motion that the Conference report be not adopted and sent back to the same Conference Committee for further consideration.

On motion of Mr. Hardeman the substitute motion by Mr. Harris of Hill was tabled.

The Conference Committee report on Senate Bill No. 423 was then adopted by the following vote:

Yeas—89

Allen	Bean
Allison	Bell
Alsup	Bridgers
Avant	Brown
Baker	Bullock

Burnaman
Carlton
Carrington
Cato
Celaya
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Crossley
Daniel
Dickson of Bexar
Duckett
Dwyer
Ellis
Evans
Ferguson
Files
Fuchs
Garland
Gilmer
Goodman
Halsey
Hargis
Hartzog
Helpinstill
Henderson
Howard
Hoyo
Huddleston
Huffman
Hughes
Isaacks
Kelly
Kennedy
Kersey
Knight
Lehman

Leyendecker
Little
Lock
Love
Lyle
McDonald
McMurry
Manford
Manning
Markle
Matthews
Mills
Montgomery
Morgan
Morris
Morse
Pace
Pevehouse
Phillips
Price
Reed of Bowie
Reed of Dallas
Rhodes
Roberts
Sallas
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stanford
Taylor
Turner
Vale
Walters
Wattner
White
Whitesides
Winfree

Nays—48

Bailey	Hileman
Blankenship	Hobbs
Bray	Howington
Bruhl	Humphrey
Bundy	Kinard
Burkett	King
Craig	Klingeman
Crosthwait	Lansberry
Davis	Lowry
Deen	Lucas
Donald	McAlister
Dove	McGlasson
Eubank	McLellan
Favors	McNamara
Fitzgerald	Martin
Gandy	Moore
Hanna	Murray
Hardeman	Parker
Harris of Dallas	Rampy
Harris of Hill	Ridgeway

Roark	Stubbs
Senterfitt	Thornton
Spangler	Voigt
Stinson	Weatherford

Absent

Benton	Jones
Boone	Sharpe
Brawner	Shell

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Hutchinson	

Mr. Reed of Dallas moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 199

Mr. McNamara submitted the following Conference Committee report on House Bill No. 199:

Austin, Texas, June 16, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer Leonard, Speaker of the House.

Sirs: We, your Conference Committee appointed to adjust the differences between the two Houses on House Bill No. 199, have met and beg leave to recommend that said House Bill No. 199 be passed in the form hereto attached.

Respectfully submitted,
McNAMARA,
KINARD,
BEAN,
CLARK,
McALISTER,

On the part of the House.

SHIVERS,
STONE,
MOORE,
HAZLEWOOD,

On the part of the Senate.

H. B. No. 199,

A BILL

To Be Entitled

An act to repeal Section 20 of Chapter 76 of Acts, 1935, Forty-fourth

Legislature, Regular Session, as amended by Section 1 of Chapter 15 of Acts, 1937, Forty-fifth Legislature, Regular Session, as amended by Section 1 of House Bill No. 851, page 500, of Acts, 1939, Forty-sixth Legislature, Regular Session; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Section 20 of Chapter 76, of Acts, 1935, Forty-fourth Legislature, Regular Session, as amended by Section 1 of Chapter 15 of Acts, 1937, Forty-fifth Legislature, Regular Session, as amended by Section 1 of House Bill No. 851, page 500, Acts, 1939, Forty-sixth Legislature, Regular Session, is hereby repealed.

Sec. 2. The crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. McNamara the report was adopted by the following vote:

Yeas—133

Allen	Colson, Mrs.
Allison	Connelly
Alsup	Craig
Avant	Crossley
Bailey	Crothwait
Baker	Daniel
Bean	Davis
Benton	Dickson of Bexar
Blankenship	Donald
Brawner	Dove
Bray	Duckett
Bridgers	Dwyer
Brown	Ellis
Bruhl	Eubank
Bullock	Evans
Bundy	Favors
Burkett	Ferguson
Burnaman	Files
Carlton	Fitzgerald
Carrington	Fuchs
Cato	Gandy
Celaya	Garland
Chambers	Gilmer
Clark	Goodman
Coker	Halsey

Hanna	Matthews
Hardeman	Mills
Harris of Dallas	Montgomery
Harris of Hill	Moore
Helpinstill	Morgan
Henderson	Morse
Hileman	Murray
Howard	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Huffman	Price
Hughes	Rampy
Humphrey	Reed of Bowie
Isaacks	Reed of Dallas
Jones	Ridgeway
Kelly	Rhodes
Kennedy	Roark
Kersey	Roberts
Kinard	Sallas
King	Senterfitt
Klingeman	Simpson
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stanford
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
Lyle	Thornton
McAlister	Turner
McDonald	Vale
McGlasson	Voigt
McLellan	Walters
McMurry	Wattner
McNamara	Weatherford
Manford	White
Manning	Whitesides
Markle	Winfree
Martin	

Nays—4

Bell	Hobbs
Hartzog	Morris

Absent

Boone	Hargis
Cleveland	Sharpe
Deen	Shell

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Hutchinson	

Mr. McAlister moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 402

Mr. Reed of Dallas submitted for consideration, at this time, the Conference Committee report on Senate Bill No. 402, making certain appropriations for the support of the State Eleemosynary and Reformatory Institutions, etc., as follows:

(On motion of Mr. Reed of Dallas, only those changes made in the original report were ordered printed in the Journal at this time. The report having been printed in full on last May 22.)

Austin, Texas, June 17, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on Senate Bill No. 402,

Have had the same under consideration and beg to report back with the recommendation that the Conference report on Senate Bill No. 402 as heretofore printed be adopted with the following changes.

Respectfully submitted,

AIKIN,
LEMENS,
METCALFE,
FAIN,
LOVELADY,

On the part of the Senate.

REED of Dallas,
ROBERTS,
LOCK,
WALTERS,

On the part of the House.

Joint Legislative Committee. There is hereby created a Joint Legislative Committee composed of three (3) Members of the Senate to be appointed by the Lieutenant Governor and three (3) Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The purpose of such Joint Legislative Committee shall be advisory and fact finding appertaining to the expenditure of the funds herein appropriated for the construction of public buildings, and to the future needs of the State Eleemosy-

nary Institutions for additional buildings. Copies of all bids received by the Board of Control for the construction of buildings for the State Eleemosynary Institutions, and of all orders entered by the Board of Control with reference to such bids, and of all contracts for the construction of buildings, shall be made available to the Joint Legislative Committee herein provided for. The Board of Control shall deliver to the Committee copies of bids immediately after having been received by the Board, and shall deliver to the Committee copies of orders entered by the Board with reference to such bids immediately after such action is taken, and shall deliver to the Committee copies of contracts for the construction of buildings immediately after same have been let. The Board of Control shall, in addition to the above information, make available to the Committee any and all facts in its possession relating to the expenditure of the moneys herein appropriated for the construction of buildings. The Committee shall also investigate the State Eleemosynary Institutions for the purpose of finding the facts with reference to the sufficiency or insufficiency of their physical plants, equipment and buildings. The heads of such institutions are directed to make available to the Committee any and all facts requested by the Committee pertaining to the operation of the institutions. The Committee shall compile a full and complete report of all facts and information found

and coming into its possession pursuant to the duties imposed upon it, and shall submit such report to the Regular Session of the 48th Legislature, together with its recommendations pertaining to the future expenditure of moneys for the construction of buildings for the State Eleemosynary Institutions, and shall recommend to the 48th Legislature any new buildings deemed by it necessary for the operation and maintenance of the State Eleemosynary Institutions.

The Members of the Joint Legislative Committee shall be reimbursed for their actual and necessary expenses in performance of their duties as herein set out from the contingent expense fund of the House and Senate. Said money shall be paid to the members of said committee on the approval of the Lieutenant Governor and the Chairman of the Contingent Expense Committee of the Senate on the part of those Members from the Senate and by the Speaker of the House and the Chairman of the Contingent Expense Fund of the House on the part of those Members from the House on said Joint Legislative Committee. No expense shall be allowed in any event unless approved as provided above. The total expense of said committee, including employees, shall not exceed Six Thousand (\$6,000.00) Dollars, and the Comptroller is hereby directed to set aside this sum for this purpose out of the Contingent Expense Account of the 47th Legislature, on the effective date of this Act.

John Sealy College of Nursing

	For the Years Ending	
	August 31, 1942	August 31, 1943
1. Professor, Assistant to the Dean	\$ 4,000.00	\$ 4,000.00
2. Associate Professor, Superintendent of Nurses	3,000.00	3,000.00
3. Assistant Professor	2,400.00	2,400.00
4. Social Director	1,500.00	1,500.00
5. Assistant Social Director	1,200.00	1,200.00
6. Stenographer	1,350.00	1,350.00
7. Typist	900.00	900.00
8. Instructors and Assistant Instructors, none to exceed \$2,500.00 per year—	10,650.00	10,650.00
Total—John Sealy College of Nursing	\$ 25,000.00	\$ 25,000.00

The Board of Regents of the University of Texas is hereby authorized to supplement the salary of the Dean of the Medical Branch out of local funds of the College of Nursing an amount not to exceed \$2,000.00 per year.

(Mr. Morris in the Chair.)

Mr. Reed of Dallas moved that the report be adopted.

Mr. Chambers moved to table the motion by Mr. Reed of Dallas.

The motion to table was lost.

The Conference report on Senate Bill No. 402 was then adopted.

Mr. Reed of Dallas moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the Chair.)

APPOINTMENT OF CONFERENCE
COMMITTEE ON HOUSE
BILL NO. 796

The Speaker announced the appointment of the following Conference Committee on House Bill No. 796:

Messrs. Bell, Taylor, Coker, Bruhl and Harris of Dallas.

CONSIDERATION OF HOUSE
JOINT RESOLUTION NO. 7

The Speaker laid before the House, as pending business, House Joint Resolution No. 7, Proposing an amendment to the Constitution providing for free textbooks for children of scholastic age, etc.

The resolution having heretofore been read third time, with amendment by Mr. Spacek pending.

Mr. Hanna moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion was lost.

Mr. Carrington offered the following amendment to the amendment:

Amend amendment to House Joint Resolution No. 7 by adding after the word "books" in line 20, page 1, the following:

"Provided, however, no free textbooks shall be furnished to any student of a private school unless the curriculum, administration and other official activities of such school are under the control, direction, supervision and jurisdiction of the State Department of Education the same as public schools with the exception of religious teachings and religious instructions."

Mr. Bell moved to table the amendment by Mr. Carrington.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Avant	Lock
Bean	Love
Bell	Lowry
Boone	Lucas
Bray	Lyle
Brown	McAlister
Carlton	McDonald
Cleveland	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Daniel	Manford
Davis	Manning
Dickson of Bexar	Markle
Donald	Martin
Duckett	Matthews
Dwyer	Mills
Evans	Montgomery
Ferguson	Moore
Fitzgerald	Morris
Fuchs	Morse
Garland	Parker
Gilmer	Pevehouse
Goodman	Phillips
Hardeman	Price
Hargis	Rampy
Harris of Hill	Reed of Bowie
Hartzog	Ridgeway
Helpinstill	Rhodes
Henderson	Roark
Hobbs	Sallas
Howard	Simpson
Hoyo	Smith of Atascosa
Huddleston	Spacek
Huffman	Spangler
Hughes	Stanford
Kennedy	Taylor
Kinard	Turner
Klingeman	Vale
Lansberry	Voigt
Leyendecker	Whitesides

Nays—39

Allison	Harris of Dallas
Bailey	Hileman
Baker	Howington
Benton	Jones
Blankenship	Kelly
Brawner	King
Bullock	McGlasson
Burkett	Morgan
Carrington	Murray
Cato	Roberts
Connelly	Senterfitt
Craig	Skiles
Crossley	Stinson
Crosthwait	Stubbs
Deen	Thornton
Ellis	Walters
Eubank	Wattner
Gandy	Weatherford
Halsey	White
Hanna	

Absent

Allen	Humphrey
Alsup	Isaacks
Bridgers	Kersey
Bruhl	Knight
Bundy	Lehman
Burnaman	Little
Celaya	Pace
Chambers	Reed of Dallas
Clark	Sharpe
Dove	Shell
Favors	Smith of Bastrop
Files	Winfree

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Hutchinson	

Question recurring on the amendment by Mr. Spacek, it was adopted.

By unanimous consent of the House, the caption of the resolution was ordered amended to conform to all changes and with the body of the resolution.

House Joint Resolution No. 7 then failed to pass by the following vote (Not receiving the necessary two-thirds vote.):

Yeas—87

Allen	Bruhl
Avant	Bundy
Bean	Cato
Bell	Celaya
Boone	Chambers
Brown	Clark

Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Daniel	McLellan
Davis	McMurry
Dickson of Bexar	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Dwyer	Martin
Evans	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morgan
Fuchs	Morris
Garland	Morse
Goodman	Pevehouse
Hargis	Phillips
Harris of Hill	Rampy
Hartzog	Reed of Bowie
Helpinstill	Ridgeway
Henderson	Rhodes
Hobbs	Roark
Howard	Roberts
Hoyo	Sallas
Huddleston	Simpson
Huffman	Skiles
Hughes	Smith of Bastrop
Hutchinson	Spacek
Kennedy	Spangler
Kinard	Stanford
Klingeman	Taylor
Lansberry	Turner
Lehman	Vale
Leyendecker	Voigt
Little	Whitesides
Love	Winfree
Lowry	

Nays—44

Alsup	Halsey
Bailey	Hanna
Baker	Harris of Dallas
Benton	Hileman
Blankenship	Howington
Brawner	Jones
Bray	Kelly
Bridgers	King
Bullock	Knight
Burkett	Lucas
Carlton	Matthews
Carrington	Murray
Connelly	Parker
Craig	Price
Crossley	Senterfitt
Crosthwait	Smith of Atascosa
Deen	Stinson
Ellis	Stubbs
Eubank	Thornton
Favors	Walters
Gandy	Wattner
Gilmer	Weatherford

Absent

Allison	McGlasson
Burnaman	Pace
Hardeman	Reed of Dallas
Humphrey	Sharpe
Isaacks	Shell
Kersey	White
Lock	

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson

HOUSE BILL NO. 589 ON
SECOND READING

Mr. Burnaman moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 589.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 589, A bill to be entitled "An Act declaring the floods of Newton County, Texas, to be a public calamity; authorizing a donation and grant to Newton County Flood Control District of the State ad valorem taxes collected in Newton County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; and declaring an emergency."

The bill was read second time.

Mr. Burnaman offered the following amendment to the bill:

Amend caption of House Bill No. 589 by adding after the word "County" in line 10 of the printed bill, the following:

"for a period of ten (10) years"

The amendment was adopted.

Mr. McAlister raised a point of order on further consideration of the

bill at this time, on the ground that the bill seeks to donate money to a flood control district that does not exist.

The Speaker overruled the point of order.

(Mr. Eubank in the Chair.)

Mr. Wattner offered the following amendment to the bill:

Amend House Bill No. 589 by striking out the word "all" in line 32 of page 1 of the printed bill and substituting in lieu thereof the words and figures "one-half ($\frac{1}{2}$)."

Mr. Burnaman moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment by Mr. Wattner, it was adopted.

Mr. Love moved to reconsider the vote by which the amendment was adopted.

Mr. Wattner moved to table the motion to reconsider.

The motion to table prevailed.

Mr. Wattner offered the following amendment to the bill:

Amend House Bill No. 589 by striking out the words and figures "ten (10)" wherever they appear and insert in lieu thereof the words and figures "five (5)."

On motion of Mr. Morse, the amendment was tabled.

House Bill No. 589 was then passed to engrossment.

Mr. Burnaman moved to reconsider the vote by which the bill was engrossed, and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the Chair.)

PROVIDING FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Taylor offered the following resolution:

H. S. R. No. 343, Providing for the appointment of certain committee to attend oil Conference.

Whereas, The Nation Wide Hearing on the production, distribution, and market demand of oil will be held in Washington, D. C., on Thursday, June 19th; therefore, be it

Resolved, by the House of Representatives, That two Members of the House be appointed to attend this hearing as official delegates from the House of Representatives.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of Mr. Kennedy and Mr. Bray.

HOUSE BILL NO. 831 WITH SENATE AMENDMENTS

Mr. Boone called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 831, A bill to be entitled "An Act enabling cities and incorporated villages to pass zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property within three thousand (3,000) feet of the exterior limits of airports owned by such cities and incorporated villages, either within or without their city limits; and declaring an emergency."

Mr. Boone moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on House Bill No. 831:

Messrs. Boone, Simpson, McAlister, Love and Goodman.

MESSAGE FROM THE SENATE

Austin, Texas, June 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate

has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 670.

The following have been appointed on the part of the Senate:

Senators Beck, Moore, Ramsey, Weinert and Metcalfe.

Passed

H. B. No. 942, A bill to be entitled "An Act amending Section 6, Chapter 2, Acts of Forty-second Legislature, Fourth Called Session as amended by Section 9, Chapter 76, Acts of the Forty-fourth Legislature, Regular Session, and providing that the Railroad Commission shall limit production of crude petroleum oil, etc.; and declaring an emergency."

S. B. No. 505, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said county, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 505, to the Committee on State Affairs.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally the following enrolled bills:

H. B. No. 1034, "An Act authorizing the Commissioners' Court of Yoakum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the County, whether such public roads or highways are inside or outside of any incorporated city or town in such county; authorizing the issuance of time warrants for such purposes; de-

declaring that this Act shall be cumulative of all laws when not in conflict therewith, but in case of conflict this Act shall control; providing a saving clause; and declaring an emergency."

H. B. No. 998, "An Act authorizing the separation or divorcement of public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose; defining the terms 'municipal district' and the term 'governing body' of the city or town; prescribing the method of procedure precedent to calling such election; providing that such election shall be held as nearly as possible in compliance with law with reference to regular city elections, and prescribing qualifications of voters of such election; prescribing form of ballot for such election, etc.; and declaring an emergency."

H. B. No. 1042, "An Act relinquishing to the City of Port Arthur, Texas, all right, to title and interest of the State of Texas in and to certain land described in House Bill No. 819, 42nd Legislature, approved May 18th, 1931, amending Section Two (2) of House Bill No. 819; and declaring an emergency."

H. B. No. 1045, "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake, located in Stephens, Palo Pinto and Young Counties or in any of the back waters; any person found guilty of this Act shall be fined not more than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00); and declaring an emergency."

H. B. No. 1057, "An Act providing (1) an open season for quail in Cherokee County from December 1 in one year to January 16 in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and

during the same time each year thereafter on the same days of the week, etc.; and declaring an emergency."

H. B. No. 996, "An Act amending Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, as amended by House Bill No. 373, Chapter 264, page 651, Acts of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 626, Chapter 7, page 414 of the Acts of the Regular Session of the Forty-sixth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature in conflict; and declaring an emergency."

H. B. No. 887, "An Act amending Sections 2, 5 and 10 of Chapter 506, Acts 1937, 45th Legislature, page 1494-a, as amended by House Bill No. 565, Section 1, Acts 1939, 46th Legislature; and declaring an emergency."

H. B. No. 1076, "An Act authorizing the qualified voters of Hooks Independent School District situated wholly within Bowie County, a district containing not less than fifty-nine square miles in area, and having an assessed property valuation of not less than three hundred seventy thousand dollars, to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed one dollar fifty cents on the one hundred dollars' valuation in any one year; provided that not more than one dollar of said tax shall be voted for bond purposes and not more than fifty cents shall be voted for maintenance purposes; providing that said tax shall be authorized, levied, assessed and collected under provisions of the law applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

MOTIONS TO INTRODUCE CERTAIN BILLS

Mr. Favors moved to introduce the following bill:

By Mr. Favors:

H. B. No. —, A bill to be entitled "An Act declaring the recent tornado in the City of Clarendon and elsewhere in Donley County to be a public calamity; donating and granting to the Clarendon Independent School District, Clarendon, Texas, for a period of ten (10) years one-half of the State ad valorem taxes collected in Donley County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said school district in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said Independent School District; specifying that the proceeds of such bonds or warrants be used exclusively in the construction of buildings and improvements in conservation of facilities for the Clarendon Junior College, in repair and rebuilding of said Junior College; prohibiting diversion of such moneys; specifying the reports to be made by the Assessor and Collector of collections of State ad valorem taxes for general revenue purposes and disposal thereof and providing for the payment over by him of the moneys collected; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—75

Allison	Cleveland
Alsop	Coker
Avant	Colson, Mrs.
Baker	Connelly
Bean	Daniel
Bell	Davis
Blankenship	Deen
Boone	Dickson of Bexar
Bray	Donald
Bridgers	Dove
Bullock	Duckett
Burnaman	Dwyer
Carrington	Eubank
Celaya	Evans
Chambers	Favors

Fitzgerald
Goodman
Halsey
Hardeman
Hargis
Harris of Hill
Hartzog
Helpinstill
Hobbs
Hoyo
Huddleston
Isaacks
Kelly
Kennedy
Knight
Lehman
Leyendecker
Little
Love
Lowry
Lucas
Lyle
McLellan

McMurry
Manford
Manning
Mills
Montgomery
Morse
Pevehouse
Price
Rampy
Rhodes
Roark
Roberts
Sallas
Simpson
Smith of Atascosa
Spacek
Stubbs
Taylor
Vale
White
Whitesides
Winfree

Nays—38

Allen	McAlister
Brawner	Markle
Bundy	Martin
Burkett	Matthews
Carlton	Moore
Cato	Morris
Clark	Murray
Crossley	Parker
Crosthwait	Phillips
Ferguson	Reed of Bowie
Files	Ridgeway
Hanna	Senterfitt
Harris of Dallas	Skiles
Hileman	Stanford
Howington	Thornton
Hughes	Voigt
Humphrey	Walters
Jones	Wattner
Lansberry	Weatherford

Absent

Bailey	King
Benton	Klingeman
Brown	Lock
Bruhl	McDonald
Craig	McGlasson
Ellis	McNamara
Fuchs	Morgan
Gandy	Pace
Garland	Reed of Dallas
Gilmer	Sharpe
Henderson	Shell
Howard	Smith of Bastrop
Huffman	Spangler
Kersey	Stinson
Kinard	Turner

Absent—Excused

Dickson of Nolan McCann
Heflin Nicholson
Hutchinson

Mr. Halsey moved to introduce the following bill:

By Mr. Halsey and Mr. Eubank:

H. B. No. —, A bill to be entitled "An Act declaring the recent floods of the Brazos, Tongue and Peas Rivers in Motley, Cottle, Childress, Hall, Borden, Dickens, Scurry, Kent, Stonewall, Garza, Hockley, Lubbock, Cochran, Crosby, Lynn, Terry, Gaines, Dawson, Yoakum, Lamb, Floyd, Brisco, Hale, Swisher, Castro, Bailey and Parmer Counties to be a Public Calamity; authorizing a donation and grant to said Counties Flood Control Districts of one-half of the State ad valorem taxes collected in said counties for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Texas; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected, and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—57

Baker	Fitzgerald
Bean	Fuchs
Bray	Halsey
Bullock	Hargis
Bundy	Hartzog
Burnaman	Helpinstill
Carrington	Hobbs
Celaya	Huddleston
Clark	Huffman
Coker	Jones
Connolly	Kennedy
Daniel	Knight
Davis	Leyendecker
Deen	Lucas
Dickson of Bexar	Lyle
Donald	McGlasson
Dove	McLellan
Duckett	McMurry
Eubank	McNamara
Evans	Manning

Martin	Roark
Matthews	Roberts
Mills	Sallas
Montgomery	Skiles
Pevehouse	Spacek
Phillips	Stanford
Price	Taylor
Rampy	Whitesides
Reed of Dallas	

Nays—53

Allen	King
Allison	Klingeman
Bailey	Lansberry
Blankenship	Lehman
Brawner	Love
Burkett	Lowry
Cato	McDonald
Cleveland	Markle
Crossley	Moore
Crosthwait	Morgan
Dwyer	Morris
Ellis	Murray
Ferguson	Parker
Files	Reed of Bowie
Gilmer	Ridgeway
Goodman	Rhodes
Hanna	Senterfitt
Hardeman	Simpson
Harris of Dallas	Smith of Atascosa
Harris of Hill	Stinson
Hileman	Stubbs
Howington	Thornton
Hoyo	Voigt
Hughes	Walters
Humphrey	Wattner
Isaacks	Weatherford
Kinard	

Absent

Alsup	Kelly
Avant	Kersey
Bell	Little
Benton	Lock
Boone	McAlister
Bridgers	Manford
Brown	Morse
Bruhl	Pace
Carlton	Sharpe
Chambers	Shell
Colson, Mrs.	Smith of Bastrop
Craig	Spangler
Favors	Turner
Gandy	Vale
Garland	White
Henderson	Winfree
Howard	

Absent—Excused

Dickson of Nolan	McCann
Heflin	Nicholson
Hutchinson	

**MOTION TO PLACE HOUSE BILL
NO 79 ON THIRD READING**

Mr. McMurry moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 79, A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases, etc.; and declaring an emergency."

The motion was lost.

**MOTION TO PLACE HOUSE BILL
NO. 9 ON SECOND READING**

Mr. Harris of Dallas moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 9, A bill to be entitled "An Act providing for the processing tax of one cent (1¢) per gallon on all combustible condensates, such as refined gasoline, naphtha, casing-head gasoline, natural gasoline, drip gasoline, and all other combustible condensates of crude petroleum, natural gas, or any other product by any method of refining, manufacturing, processing, separating, extracting, compounding, blending, or storing, whether manufactured within or without this State, by any person, agent, manufacturer, producer, corporation, partnership, association, or otherwise, in any refinery, manufacturing plant, processing plant, separating plant, extracting plant, compounding plant, blending plant, storage plant, or any other place or by any other method used for the purpose of producing or storing combustible condensates, etc.; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—74

Allen	Hobbs
Allison	Howington
Avant	Huddleston
Bailey	Kelly
Baker	Kennedy
Bean	Klingeman
Blankenship	Knight
Brawner	Lansberry
Bullock	Lehman
Burkett	Leyendecker
Carrington	Love
Cato	Lucas
Chambers	McAlister
Clark	McGlasson
Cleveland	McLellan
Coker	McMurry
Connelly	McNamara
Crossley	Manning
Crosthwait	Moore
Davis	Morgan
Donald	Morris
Dove	Murray
Ellis	Pevehouse
Eubank	Phillips
Evans	Rampy
Ferguson	Reed of Dallas
Files	Rhodes
Fuchs	Roark
Gilmer	Sallas
Halsey	Senterfitt
Hanna	Skiles
Hardeman	Spacek
Hargis	Stinson
Harris of Dallas	Stubbs
Harris of Hill	Wattner
Helpinstill	Weatherford
Hileman	Whitesides

Nays—51

Alsup	Jones
Bell	Kinard
Boone	King
Bray	Little
Bundy	Lock
Burnaman	Lowry
Colson, Mrs.	Lyle
Craig	McDonald
Daniel	Manford
Deen	Markle
Dickson of Bexar	Martin
Duckett	Matthews
Dwyer	Mills
Favors	Montgomery
Fitzgerald	Morse
Goodman	Parker
Hartzog	Price
Hoyo	Reed of Bowie
Huffman	Ridgeway
Humphrey	Roberts
Isaacks	Simpson

Smith of Atascosa Voigt
Stanford Walters
Taylor White
Thornton Winfree
Vale

Absent

Benton Howard
Bridgers Hughes
Brown Kersey
Bruhl Pace
Carlton Sharpe
Celaya Shell
Gandy Smith of Bastrop
Garland Spangler
Henderson Turner

Absent—Excused

Dickson of Nolan McCann
Heflin Nicholson
Hutchinson

ADJOURNMENT

On motion of Mr. McAlister, the House at 6:45 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: S. B. No. 464.

Military Affairs: H. B. No. 1091.

Criminal Jurisprudence: S. B. Nos. 127 and 130.

State Affairs: S. C. R. Nos. 73 and 71.

The Committee on State Affairs filed an adverse report on H. B. No. 653.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 249, Recalling House Bill No. 161 from the Governor's Office at once for further consideration and correction.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. H. No. 1067, A bill to be entitled "An Act amending Section 1 of House Bill No. 186, Regular Session of the Forty-seventh Legislature, fixing an open season for mourning doves and white-winged doves; specifically exempting certain counties from the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds is correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 248, Permitting the House to consider House Bills Nos. 656 and 661 on Senate Bill days, Wednesday and Thursday, June 18 and 19.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 246, Granting the House permission to consider House Bill No. 363, to amend the Admission Tax Law on Senate Bill Day Wednesday and Thursday, June 18 and 19.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1091, A bill to be entitled "An Act to amend Article 6377 of the Revised Civil Statutes of Texas of 1925, which regulates the equipment in passenger trains; this amendment providing that the provisions of Article 6377 of the Revised Civil Statutes of Texas, 1925, shall not be applicable where railroad trains are carrying only personnel and equipment in connection with military or naval movements; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1084, A bill to be entitled "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine instead of seven members, all of whom shall be freehold property tax payers and legal voters of the State of Texas, and providing that such nine directors shall be appointed by the State Board of Water Engineers, three members thereof to be appointed for a term of two years, three members thereof to be appointed for a term of four years and three members thereof to be appointed for a term of six years; and to change Section 4 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors shall organize by electing one of their members president, one vice-president, one treasurer and one secretary, and providing that five directors shall constitute a quorum at any meeting, and a concurrence of majority of those present shall be sufficient in all matters pertaining to the business of the district except the letting of construction

contracts and the authorization of issuance of warrants paying therefor, which shall require the concurrence of seven directors; and to change Section 16 of said Chapter 63 so that in addition to its other provisions, it will hereafter provide that for any corporate purpose said District may borrow money from the Federal Emergency Administration of Public Works of the United States or from any other department or agency of the United States, or from any other source, and in evidence thereof may issue the notes, warrants, certificates of indebtedness, bonds or other and to change Section 23 of said Chapter 63 so that the same shall hereafter provide, in addition to its other provisions, that the Board of Directors may in its discretion have executed in favor of the holders of the District's obligations an indenture mortgaging and encumbering the improvements, facilities and properties acquired with the proceeds of the sale of such obligations, and/or all of the improvements, facilities and properties of the District, and that such indenture may likewise mortgage and encumber the revenues to be derived from the operation of such improvements, facilities and properties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1085, A bill to be entitled "An Act creating a Consolidated Road District No. 3 of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of fully and fairly compensating original Road Districts Nos. 3 and 4 of said county in amounts equal to the respective amounts of road bonds outstanding against such included road districts respectively, and for the purpose of the purchase and construction of district roads therein, and for the purpose of the further construction, maintenance and operation of macademized, graveled, or paved roads

and turnpikes, or in aid thereof when authorized by a two-thirds majority vote of the qualified property taxpaying voters of said district, voting at an election for that purpose; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 242, That the officials of the State of Texas and the President of the United States be respectfully requested to use all of their efforts to make available to South Texas during the cotton-picking season from 5,000 to 7,000 common laborers.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1086, A bill to be entitled "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity; donating and granting to the City of Albany, Texas, for a period of ten (10) years one-half of the State ad valorem taxes collected in Shackelford County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said City in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said city; specifying that the proceeds of such bonds or warrants be used exclusively in the construction of flood control works and improvements in conservation and utilization of water, in replacement of destroyed city lake, in repair and rebuilding of city water works system; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 79, A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases; providing that such physicians shall issue such certificates under specified conditions; providing for certain statements from persons in charge of laboratories making the tests called for by the Act; providing that certain reports shall be retained by examining physicians for a period of five (5) years; granting the right to the State Department of Health to inspect clinical laboratories issuing certificates called for by this Act and to make certain written recommendations for the improvement thereof; providing for certain emergencies and conditions thereto; providing for free laboratory tests as called for by this Act for all indigent persons; defining certain terms; providing that nothing in the Act shall impair or affect existing laws or rules relative to reports of cases of venereal diseases; establishing certain procedures to be followed by county clerks issuing marriage licenses; providing penalties for violation of provisions of the Act; providing that if any particular section or portion of the Act is held unconstitutional or inoperative, such shall not affect any other section or portion of the Act; declaring certain legislative intent; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 239, Providing for the sale of certain property by the Board of Regents of the State Teachers Colleges.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 64, "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by county Boards of Trustees; providing this Act shall not validate the organization or creation of any district, or consolidation or annexation of any district in or to such district where the same is now involved in litigation or where suit or litigation is filed with reference thereto within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating bond assumption elections and all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate heretofore authorized or attempted to be authorized by any act or acts of said districts, or by any Act of the Legis-

lature; making certain exemptions; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 161, "An Act amending Subdivision 30 of Article 199, Revised Civil Statutes of Texas of 1925, Acts of the Thirty-ninth Legislature, page 171, Chapter 39, as amended by Acts of 1933, Forty-third Legislature, page 880, Chapter 251, and Acts 1933, Forty-third Legislature, Special Laws, page 139, Chapter 100; amending Subdivision 90 of Article 199, Revised Civil Statutes of 1925, Acts of the Legislature of 1923, page 346; amending Subdivision 97 of Article 199, Revised Civil Statutes of Texas of 1925, Acts of the Legislature of 1923, page 145; repealing all laws in conflict; providing the effective date of the Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 130, Granting permission to J. Clyde Cummings to bring suit against the State of Texas and against the Department of Public Safety, Division of Highway Patrol.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 998, "An Act authorizing the separation or divorcement of

public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose; defining the terms 'municipal district' and the term 'governing body' of the city or town; prescribing the method of procedure precedent to calling such election; providing that such election shall be held as nearly as possible in compliance with law with reference to regular city elections, and prescribing qualifications of voters of such election; prescribing form of ballot for such election; prescribing certain duties of the governing body of the city or town and board of education or trustees of the municipal district in respect to declaring the result of such election; providing that if the proposition is defeated, no election for that purpose shall be ordered until after the expiration of one year from date of such election; providing that except as herein defined or limited, such school district, after separation from municipal control, shall have all the powers of common school districts, conferred by law; providing that nothing herein shall be construed as abrogating or repealing any existing bond tax; providing for the election of trustees of such school districts; providing that such school districts shall in all respects be subject to and conducted under laws regulating common school districts; providing that title to all school property shall immediately vest in the board of education or trustees of said common school districts; providing that all bonds and obligations of any such city or town, as a municipal school district, shall become obligations of debt for the common school district at the time of separation from municipal control, and it shall not be necessary to call an election for the assumption of such debt; providing that such newly created common school district may consolidate with a contiguous district when approved in separate elections and the districts so annexed shall have representation on the board of trustees; providing that upon annexation each district shall remain liable on its bonds unless by separate election in each district the tax-paying voters shall vote to assume proportionate parts of the

bonds of each district; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 996, "An Act amending Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, as amended by House Bill No. 373, Chapter 264, page 651, Acts of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 626, Chapter 7, page 414 of the Acts of the Regular Session of the Forty-sixth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature, in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 980, "An Act to amend Article 880 of the Penal Code of the State of Texas as amended by Chapter 47, page 1947, Section 1, Acts of the Second Called Session of the Forty-fifth Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 936, "An Act providing that it shall be lawful in Cass County, Texas, for any person to kill, take, or have in his possession for barter or sale any wild fox or the pelts thereof from December 1st to December 31st, inclusive, of any year; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 933, "An Act to prohibit the use in Fort Phantom Hill Lake of Jones and Taylor Counties of certain devices for catching fish; to limit the size and number of fish to be caught; to prohibit the taking of any fresh-water fish during the months of February, March, or April; to regulate the taking of minnows; providing a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 918, "An Act applicable to all counties in this State having a population of not less than fifty thousand, nine hundred and fifty (50,950), nor more than fifty-one thousand, one hundred (51,100), in all counties having a population of not less than thirty-four thousand (34,000), nor more than thirty-five thousand (35,000), in all counties having a population of not less than twenty-nine thousand, two hundred and twenty-five (29,225), nor more than twenty-nine thousand, two hundred and forty (29,240), in all counties having a population of not less than thirty-one thousand, eight hundred and thirty (31,830), nor more than thirty-two thousand, nine hundred and forty-one (32,941), in all counties having a population of not

less than twenty-three thousand and five (23,005), nor more than twenty-three thousand, three hundred (23,300), according to the last Federal Census, and prescribing the time and place of meeting of the County Board of School Trustees in such counties; providing for compensation to the members of the County Board of School Trustees in such counties and prescribing the fund from which such compensation shall be paid; providing that this Act shall be cumulative on all existing laws on this subject when not in conflict herewith and that all laws or parts of laws in conflict herewith are repealed; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 417, "An Act amending Article 190a, Revised Civil Statutes of Texas of 1925, by adding Childress County to the list of Counties named therein; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 887, "An Act amending Sections 2, 5, and 10 of Chapter 506, Acts 1937, Forty-fifth Legislature, page 1494-a, as amended by House Bill No. 565, Section 1, Acts 1939, Forty-sixth Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 370, "An Act authorizing the sale of all United States Treasury Bonds held for the amount of the Permanent School Fund at September 1, 1940; providing minimum price at which bonds are to be sold; providing for delivery of bonds by the State Treasurer at direction of the State Board of Education; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 862, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas for current expenses, for support of public free schools, and for interest and sinking funds to pay bonded obligations heretofore authorized by the electorate, which levies are void and unenforceable because the governing bodies of such cities and towns failed to make such levies by formal ordinance or made the levies prior to final approval of the annual budget, or because the levies were made and adopted without the tax rolls being actually before such governing bodies, and making all such levies enforceable under this Act as though adopted originally by ordinance in strict compliance with all requirements of law; provided this Act shall not apply to levies the validity of which has been attacked by litigation pending in court on effective date of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 224, Authorizing the State Highway Department to lend to the Burton Independent School

District certain discarded wire in Washington County.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 689, "An Act amending House Bill No. 920 of the Special Laws of the Forty-third Legislature, Regular Session, 1933, making it lawful to trap or take opossums, bobcats, and catamounts in San Augustine and Sabine Counties; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 663, "An Act to amend an Act for the promotion, protection, and development of the Commercial Potato Growing Industry of Texas, same being Senate Bill No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, by amending Section 3 of said Act to make the provisions thereof applicable to 'commercial quantities' of potatoes and defining the term 'commercial quantities' as used therein; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 624, "An Act amending Section 18, of Senate Bill No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by Section 2 of

House Bill No. 614, Chapter 2, page 348, General Laws of the Forty-sixth Legislature, to provide for uniform fees to be charged for the issuance of delayed birth and death certificates by the Probate Court, the Clerk thereof and the State Registrar; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 96, Authorizing the State Highway Department of Texas to lend to the City of Mineral Wells sufficient quantities of discarded wire to protect the fish life of Lake Mineral Wells.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1080, "An Act providing that all counties within this State, having a population of not less than eighty thousand (80,000) inhabitants nor more than two hundred and twenty-five thousand (225,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners Courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1079, "An Act providing that the Commissioners Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, shall compute and fix the maximum annual salary to be paid an officer named in Section 13 of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the Commissioners Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1069, "An Act prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than forty-eight thousand, eight hundred (48,800) and not more than fifty thousand, four hundred (50,400) inhabitants, according to the last preceding Federal Census, the meeting place of said Board, the compensation to be paid each County School Trustee, and the fund out of which said compensation shall be paid; providing that this Act shall be cumulative of all existing laws on this subject when not in conflict and when in conflict the provisions of this Act shall control; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1060, "An Act creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes or in aid thereof; making it a body corporate and taxing district; describing said district by metes and bounds; reciting that it comprises a portion of the territory of Road District No. 2 of said County which has outstanding road bonds, and declaring that it is not intended by the creation of Road District No. 6 to interfere in any manner with the functioning of said Road District No. 2; providing that such road district shall have authority to issue bonds for the purpose of the construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes or in aid thereof and levy ad valorem taxes in payment thereof, as contemplated by Article 3, Section 52, of the Constitution of Texas, when authorized by two-thirds majority vote of the duly qualified resident property taxpaying voters of said district; providing that such road district shall be governed in the matter of issuing bonds and levying ad valorem taxes in payment thereof as provided by the General Laws of Texas, and particularly Chapter 16 of the General Laws enacted by the Thirty-ninth Legislature at its First Called Session, in 1926, and amendments thereto; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1057, "An Act providing (1) an open season for quail in Cherokee County from December 1st in one year to January 16th in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday, and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week; that twelve (12) quail shall be the limit which any one person may kill in any one day during this period; (3) that quail may be hunted and killed in Cherokee County only on Sundays and Wednesdays during the period from December 1st of one year to January 16th of the following year, both days inclusive; (4) that it shall be unlawful to take, kill, or attempt to take or kill any quail in Cherokee County; providing that no section of this Act shall be effective in Cherokee County unless and until the qualified voters of the County, by a majority vote at an election held for such purposes, shall have voted therefor; providing that only one section of this Act shall be submitted at any one time for ratification; providing the manner of calling and holding such election; providing for the posting of returns of such election, describing the length of time which must intervene before a second election may be held on the same matter; providing that the cost of such election shall be borne by the petitioners asking for such election; describing violations of this Act and prescribing penalties therefor; limiting the effect of this Act to Cherokee County, and repealing all laws or parts of laws in conflict herewith, insofar as they apply to Cherokee County; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1054, "An Act amending Section 19 (f) of Article 3912e, also

known as Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, by adding thereto a new Section, to be known as Section 19 (f-1) of Article 3912e, to make adequate provision for the employment and compensation of assistants and employees by the District Attorney or Criminal District Attorney in any county having a population of not less than three hundred and twenty-five thousand (325,000) nor more than five hundred thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and providing further for the employment and compensation of certain additional assistants and employees by the District Attorney or Criminal District Attorney, by and with the advice and consent of the Commissioners Court in any county having a population of not less than three hundred and twenty-five thousand (325,000) nor more than five hundred thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 51, "An Act to amend Article 4766, Revised Civil Statutes of Texas of 1925, as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Civil Statutes of Texas of 1925, shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40) per cent more than the amount loaned thereon, excluding uninsured buildings, and also to include first liens upon leasehold estates in real property and improve-

ments thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1050, "An Act to amend Section 1 of House Bill No. 738 of the Thirty-fifth Legislature, Chapter 76, Acts 1917, Special Laws, page 295, so as to change the name of the 'Remlig County Line Independent School District' to 'Brookeland Independent School District'; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 544, "An Act authorizing employees of the Texas Forest Service and such additional outside help or assistance they might call on to enter on any privately owned lands for the purpose of investigating and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 543, "An Act amending Article 2613, Revised Civil Statutes of Texas, 1925, authorizing the State

Forester to designate certain of his employees as peace officers; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1042, "An Act relinquishing to the City of Port Arthur, Texas, all right, title, and interest of the State of Texas in and to certain land described in House Bill No. 819, Special Laws, Forty-second Legislature, Chapter 181, approved May 18, 1931; amending Section 2 of said House Bill No. 819; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 537, "An Act amending Article 779 of the Revised Civil Statutes of Texas, 1925, so as to authorize the Commissioners Court to invest sinking funds in war-savings certificates, certificates of indebtedness issued by the Secretary of the Treasury of the United States, and in bonds of any school district, road district, or any incorporated city or town, in addition to the investments heretofore authorized by such Article; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1034, "An Act authorizing the Commissioners Court of Yoa-

kum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the County, whether such public roads or highways are inside or outside of any incorporated city or town in such county; authorizing the issuance of time warrants for such purposes; declaring that this Act shall be cumulative of all laws when not in conflict therewith, but in case of conflict this Act shall control; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 524, "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of Second Called Session, Forty-fourth Legislature, and by Chapter 498, Acts of Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1019, "An Act validating consolidation of certain common school districts, independent school districts and consolidated independent school districts and county line school districts, wherein a majority of the voters of each of the affected districts approve such a consolidation at an election held for such

purpose; providing however, such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 511, "An Act amending Article 8306, Revised Civil Statutes of 1925, by adding a new section to be known as Section 7-e, providing that where liability for compensation exists, the association shall furnish any and all artificial appliances that would materially and beneficially improve the future usefulness and occupational opportunities of such injured employee; providing the maximum cost of such artificial appliances; providing the association shall not be liable for having such appliances replaced or repaired; providing the method to require the association to furnish such appliances in the event of their failure to do so; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 17, 1941

House Bill No. 161.

House Bill No. 51.

House Bill No. 624.

House Bill No. 936.

House Bill No. 933.

NINETY-SECOND DAY

(Wednesday, June 18, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Alsup
Allen	Avant
Allison	Bailey

Baker	Humphrey
Bean	Hutchinson
Bell	Isaacks
Benton	Jones
Blankenship	Kelly
Boone	Kersey
Brawner	Kinard
Bridgers	King
Brown	Klingeman
Bruhl	Knight
Bullock	Lansberry
Bundy	Lehman
Burkett	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	Lyle
Clark	McAlister
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Davis	Martin
Deen	Matthews
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Dwyer	Morris
Ellis	Murray
Eubank	Pace
Evans	Parker
Favors	Pevehouse
Ferguson	Phillips
Files	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Spangler
Howard	Stanford
Howington	Stinson
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
	Vale